

# Cannock Chase Local Plan Examination: Response to updated Trajectory

## Bloor Homes Limited (Land to the West of Hednesford Road, Norton Canes)

August 2025

### Introduction

1. This statement is submitted on behalf of Bloor Homes Limited ('Bloor') in response to documents EXAM38, EXAM38A, EXAM38B, EXAM38C, EXAM38D and EXAM38E, which were made available on 29 July 2025 and represent a significant change in the Council's housing trajectory and therefore their 5yhls.
2. Bloor is promoting Land to the west of Hednesford Road, Norton Canes (the "site") (proposed safeguarded site: S3 and SHLAA site ref: N24, N33 and N64). Details regarding the site can be found in Bloor's representations to the Regulation 19 Publication Plan (ref: A0101).

### Amendments to the Proposed Trajectory

3. The Council submitted the Plan for examination on the basis that they accepted that they could not demonstrate a 5 year housing land supply (5yhls), even under the very low proposed housing requirement.
4. The inability to demonstrate a 5yhls is highly significant, the absence of a 5yhls upon adoption would allow other applications, including the site promoted by Bloor, to come forward even after the Plan is adopted.
5. The approach has been taken by the examining inspectors of the South Worcestershire Development Plan Review (SWDPR), where they have very recently issued their report and concluded the combined authorities cannot demonstrate a 5yhls and will not be able to do so upon adoption of the SWDPR. As such, the SWDPR can be found sound, but allowing the opportunity for unallocated sites to come forward in the short to medium term. A copy of this report is enclosed as **Document 1**. This approach means that much needed homes can continue to be delivered.
6. The Council's updated evidence now shows it has a 5yhls. The figures indicate this is the case due to both changes on the requirement side (i.e. the stepped approach to meet unmet needs later) and the changes to the supply.
7. With regards to the changes to the supply, the Council has achieved this by increasing the number of units in the 5yhls at three sites (M1, SH1 and SH2) plus a correction to the figures at site H1. Further, Some of the sites the Council previously concluded in the SHLAA would not be delivered in the next 15 years are now included to be delivered in the next 5 years. On this basis the Council now state that of 1 April 2025, they have deliverable 5yhls of 1,581 dwellings upon adoption of the plan.

8. Emery Planning have prepared a commentary note on documents EXAM38, EXAM38A, EXAM38B, EXAM38C, EXAM38D and EXAM38E and this is enclosed as **Document 2**.
9. Emery Planning's note disputes the inclusion of 16 sites within the 5yhls trajectory as shown in EXAM38B and the chart set out within EXAM38E. Both the trajectory and the chart should be amended accordingly.
10. As a direct result of these deductions (amounting to 829 dwellings), the deliverable supply on 1 April 2025 is 752 dwellings (i.e. 1,561-829 = 752). Against the proposed adopted housing requirement and a 5% buffer, this equates to **2.71 years** as shown within table 4.1 of **Document 2**.
11. The Council cannot demonstrate a 5yhls on 1 April 2025 on adoption of the Local Plan. Additional, deliverable sites should be allocated. Alternatively, the Inspector may wish to pursue the same approach as in SWDPR as set out in **Document 1**.

### **Impact upon Affordable Housing**

12. The Council's inability to demonstrate a 5yhls upon adoption of the Plan will have a direct and significant impact on the delivery of Affordable Housing within the District.
13. The identified need in the 2024 Housing Needs Assessment (**evidence base document H10**) is for 6,764 net affordable homes from 2021/22 to 2039/2040. The equivalent of 356dpa.
14. Based upon the Council's estimated delivery of sites within its trajectory, and Policy SO3.2 as currently drafted within the submission Plan, 312 gross affordable dwellings will be delivered based on the 5yhls. This equates to approximately 62 dwellings per annum.
15. Based upon the conclusions at set out in Emery's note (**Document 2**), the reduction of deliverable sites would result in only 168 gross affordable dwellings being delivered with the 5 year period, the equivalent of just 34 dwellings per annum.
16. Both the Council's position and Emery's position present a very concerning shortfall in the delivery of much needed affordable homes throughout the plan period.
17. This issue is further compounded by the proposed changes as set out within EXAM31 "Action Points Week 3 – Updated 21st July 2025".
18. Action Point 86 of EXAM31 states "*Draft proposed modification to Policy SO3.2 Table D to align Affordable Housing Percentages with EC10 (Viability Study 2024) Table 8.1 for consideration and potential main modification to the policy.*" We note that the reference to table 8.1 is incorrect – the action should refer to Table 6.1 within EC10.

19. The table below sets out the Affordable Housing requirement within Table 6.1 of EC10, and we have included the percentage difference between the submission Plan as originally drafted and the proposed amendment at Action Point 86. This demonstrates a significant difference in the overall requirement than that included within the wording of Policy SO3.2 within the submission plan.

Ward	Threshold	Affordable Housing	%difference
Cannock	Greenfield	15%	-5%
	Brownfield	10%	-10%
Hednesford	Greenfield	15%	-15%
	Brownfield	15%	-5%
Rugeley	Greenfield	20%	-15%
	Brownfield	15%	-10%
Norton Canes and Heath Hayes	Greenfield	20%	-15%
	Brownfield	15%	-20%

20. Taking the proposed main modification into account would result in the following:
- Based on the Council's 5yhls position: 226 gross affordable dwellings, equivalent to just 45 dwellings per annum (17dpa less than the submission plan version)
  - Based on Emery's review of the 5yhls position: 116 gross affordable dwellings, equivalent to just 23 dwellings per annum (9dpa less than the submission plan version)
21. This is an extremely significant reduction in the delivery of affordable housing within the 5yhls period. An Affordable Housing Briefing Report (August 2025) is enclosed at **Document 3** and considers the impact of the proposed amendments to Policy SO3.2 as set out in Action Point 86 of EXAM31 not only with the 5yhls period but across the whole plan period.
22. Document 3 also states that the delivery of affordable housing under the Council's proposed main modifications would fall even further below the level of need when likely average annual losses of 29 homes through Right to Buy are taken into account.
23. **Document 3** recommends the following steps are undertaken to ensure the Plan is capable of delivering a sound and legally robust approach to affordable housing:
- Set an Affordable Housing Delivery Target:** A clear, numerical target should be included in the Plan, aligned to the 2024 HNA's identified need of 356 net affordable dwellings per annum. This target must be supported by a delivery trajectory and embedded within the Monitoring Framework.
  - Revisit the Proposed Main Modifications:** The proposed changes to Policy SO3.2 materially weaken delivery and should not proceed without a full consultation and a

detailed justification based on updated viability testing, taking account of recent boundary changes and the Council's strategic objectives.

- **Clarify the Basis for Affordable Housing Zones:** The Plan should be updated to reflect the 2023 ward boundary changes and correct the misleading references to individual wards in Policy SO3.2. A clear, accurate map of the policy zones must be provided to ensure consistent application and legal clarity.
- **Allocate Additional Deliverable Sites:** Without further allocations, the identified shortfall cannot be addressed. The Council should identify and allocate additional sites capable of delivering affordable housing at scale over Plan period.
- **Account for Losses to Affordable Stock:** The trajectory and policy framework must acknowledge and allow for consistent losses to the affordable housing stock through Right to Buy and other disposals, ensuring that net delivery figures form the basis of monitoring and review.

24. Without these changes, the emerging Local Plan is unlikely to deliver against its strategic objective of meeting local housing needs, or to comply with national policy. The scale of affordable housing need in Cannock Chase demands a policy response that is ambitious, evidence-led, and firmly grounded in the realities of delivery. A step change is now essential to avoid entrenching disadvantage and to ensure that communities across the District can access the decent, affordable homes they need.

## Procedural Matters

25. In light of the above matters, and the fact that significant changes are proposed to policy wording which have not been fully consulted on, Bloor have obtained Counsel advice (enclosed at **Document 4**).

26. The Counsel advice at Document 4 concludes the following points:

*"There is absolutely no way in which the public are aware of the Council's proposed changes or the consequences arising from them. These changes are profound and dramatic.*

*The approach being taken to the 5YS issue is plainly procedurally unfair. The Council has gone from submitting a plan where the public were told there is no 5YS to now changing that at the last minute to suggest there is a 5YS. That makes it a very different plan in terms of future planning applications.*

*There has also been no proper consultation on the newly proposed figures for the 5YS, with lots of additions which are simply not credible and moreover, contradict earlier evidence from the Council.*

*The change in policy on affordable housing has not been consulted upon. It is manifestly unreasonable to change the policy in this way without proper public consultation.*

*Added to which the consequences of this change in the affordable housing policy will have dire consequences. It will see the net delivery of affordable housing collapse. This will be worse for local people in need of affordable housing.*

*The addition of one new Grey Belt site for 420 homes alone would double the amount of net affordable housing over the entire plan period.*

*It is important that the Client raises these concerns about the lawfulness of the eLP with the Examining Inspector and the Council now, as the Client will need to show it has done so, in order to satisfy the High Court that it made every effort to point out the unlawfulness at the relevant time.*

*There needs to be proper and full public consultation on these changes and the inquiry needs to be re-opened to allow proper discussion on these issues and to consider the effectiveness of the overall plan strategy. To do otherwise would be unlawful.”*

## **The Site**

27. Should the Inspector be minded to change the status of the safeguarded site to become an allocation within the plan, or indeed allocate the wider site area, Bloor can demonstrate the sites delivery within the early stages of the plan period.
28. Through the Week 3 Hearing Sessions (during w/c 7 July 2025), the Council indicated that that the main reason for site being safeguarded and not allocated was due to issues relating to capacity within the local primary school.
29. A note reviewing the primary education provision within Norton Canes is enclosed at **Document 5**. Bloor would welcome the opportunity to discuss this matter further with Officers.

## **Contact**

Fiona Lee-McQueen

[REDACTED]

August 2025

02703

## **Examination of the South Worcestershire Development Plan Review**

Inspectors: P Lewis BA(Hons) MA MRTPI, E Worthington MTP MUED MRTPI IHBC

Programme Officer: Ian Kemp, PO Box 241, Droitwich, Worcestershire WR9 1DW

Email: [ian@localplanservices.co.uk](mailto:ian@localplanservices.co.uk) Telephone: 07723009166

Examination web pages: <https://www.localplanservices.co.uk/swdpreview>

---

23 June 2025

Mr D Rudge

Interim Director

South Worcestershire Development Plan Review

Dear Mr Rudge

### **Examination of the South Worcestershire Development Plan Review**

1. As we indicated at the conclusion of the examination hearings on 29 April 2025, we are writing to set out our thoughts on the South Worcestershire Development Plan Review (the Plan) at this stage, and the way forward for the examination. Our comments are based on all that we have read, heard and seen to date. However, we emphasise that the examination is not yet concluded and consultation on main modifications (MMs) is still to take place. Therefore, these comments are without prejudice to our final conclusions on the Plan.
2. We would like to take this opportunity to thank the Councils for your help to us through the hearings, and to the other participants, which has ensured that we have been able to deal with matters efficiently.
3. Overall, we consider that, subject to MMs, the Plan is likely to be capable of being found legally compliant and sound. We will set out our reasoning for this in our final report which will also include the other significant matters which arose during the hearings which are not covered in this letter.
4. Policy SWDPR 54 is concerned with a proposed allocation adjoining Tewkesbury, in part to meet unmet needs of Tewkesbury District Council. There remain several matters, for which further evidence is being prepared, relating to potential effects on Curlew, one of the qualifying species of the Severn Estuary Special Protection Area (SPA), and highways, including effects on junction 9 of the M5 motorway. Further work is ongoing in respect of these matters, and we anticipate that we should have the further evidence later in the summer. On receipt of that we will decide how the examination should proceed in that respect. As discussed previously, we may hold a further topic specific hearing session which we provisionally say should be 4 September 2025. That

session would be undertaken by way of an online meeting. We may also wish to discuss the implications of any recalculation of housing need on 4 September as explained later in this letter.

### **The process**

5. The Councils' suggested MMs were discussed at the hearings. Please provide us with a comprehensive list of potential MMs for our consideration and agreement before it is made available for public consultation. That list should also include the MMs we set out in this letter, and any consequential changes that might be required in connection with any potential MMs. It would be helpful to us if you could let us know via the PO when you will provide the updated MM schedule.
6. The Councils may wish to make additional modifications (AM) to the Plan. These are changes made by the Councils on adoption of the Plan which do not materially affect the policies in the Plan (such as factual updates). If the Councils intend to make any AMs these should be set out in a separate document from the MMs. If the Councils intend to publicise or consult on any AMs it should be made clear that such changes are not a matter for the Inspectors. Similarly, further changes to the Policies Map should also be published for consultation but for reasons explained previously, we are not examining the Policies Map.

### **Consideration of main modifications**

7. The views we have expressed in the hearing sessions and this letter on potential MMs and related Policies Map changes are based on the evidence before us, including the discussion that took place at the hearing sessions. However, our final conclusions on soundness and legal compliance will be provided in the report which we will produce after the consultation on the potential MMs has been completed. In reaching our conclusions, we will take into account any representations made in response to the consultation.

### **Next steps**

8. The Councils have published an updated local development scheme (LDS) (EXAM 53) which sets out the intention of the Plan being adopted by the end of this year. To achieve this, (which of course is subject to the further consideration of Policy SWDPR 54, updated housing need calculation and the outcome of the MMs consultation), it would be necessary for the Councils to hold the MMs consultation this autumn. With this in mind, we ask the Councils to progress with completing the MMs schedule (except for SWDPR 54 Mitton and the housing requirement), and in so far as they can be completed. The Councils should also carry out any further sustainability appraisal and Habitats Regulations Assessment as necessary.

## **Potential main modifications and advice**

### **Legal compliance**

9. We are broadly satisfied that to date, the Councils have complied with the legal requirements for plan making and we will conclude in respect of the Habitats Regulations Assessment following the further consideration of the outstanding matters in relation to Policy SWDPR 54 Mitton.

### **Soundness**

10. In the section below we set out our views on some of the matters discussed at the hearing sessions that we have taken away for further consideration. In the attached Annex 2, we list the MMs which we consider are necessary to deal with these and other matters that also arise from the hearing sessions and the Councils' proposed MMs.

### **Local Housing Need and the housing requirement**

11. Policy SWDPR 02 sets out a housing requirement for the plan period of at least 26,360 dwellings (including 500 to meet unmet needs of Tewkesbury District Council agreed through the Duty to Cooperate). We consider that the Councils' calculation of local housing need (LHN) accords with the standard method. We have not been convinced that housing need should be higher than that derived using the standard method (plus the agreed unmet need). We are also content that the approach taken to deriving the housing requirement from LHN is sound.
12. So, taking into account the housing delivery to date in the plan period over the minimum annual requirement, the minimum residual housing requirement for the remainder of the plan period (2024 to 2041) based on the submitted Policy SWDPR 02 would be 21,440 dwellings, or 1,261 on an annualised basis.
13. However, the National Planning Practice Guidance (PPG) states that LHN calculated using the standard method may be relied upon for a period of 2 years from the time that a plan is submitted to the Planning Inspectorate for examination. Given that the examination of the Plan will not be concluded within 2 years of the submission of the Plan, this is a matter which should be revisited. We had been working on the basis that the examination would likely to be concluded before then, but with the additional work required in respect of SWDPR 54 Mitton, that is now not possible. Therefore, we asked the Councils to provide an updated LHN calculation using the most up to date inputs (EXAM 98). The Councils' response is set out in EXAM 98A.
14. A revised LHN calculation would apply from April 2025 for the period to 2041. So, any past under or over delivery of dwellings in the plan period before April 2025 would not be taken into account in the period 2025 - 2041 due to the effect of the affordability ratio in the standard method. Whilst the PPG refers to



past under delivery in this light, and is silent on over-delivery, we take a common-sense approach on this matter.

15. Based on the recalculated LHN, it currently appears to us that the dwelling requirement would be 18,852 for the period 2025 to 2041 (1,147 dwellings x 16, plus the 500 dwellings for unmet need of Tewkesbury District Council). This equates to 1,178 dwellings per annum for the remainder of the plan period. However, before reaching our final conclusions on this, we will provide relevant representors an opportunity to comment on the updated LHN calculation and its implications.

## **Housing land supply**

### **Five-year housing land supply (5YHLS)**

16. The National Planning Policy Framework (NPPF) is clear that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies.
17. The Councils have requested that we confirm that the South Worcestershire Councils have a five-year housing land supply on adoption of the Plan as per NPPF (September 2023) paragraph 74. As we noted at the hearings, there is no such provision in the current NPPF. Nevertheless, we have examined the housing land supply accordingly, in applying the 10% buffer as required by the NPPF September 2023. Based on the submitted Plan with a 10% buffer, the 5 year requirement is 6,935 dwellings (1,261 x 5 years + 10% buffer). Based on the updated LHN, it would be 6,479 dwellings (1,178 x 5 years + 10% buffer).
18. The PPG sets out that strategic policies should identify a five-year housing land supply from the intended date of adoption of the plan. The latest LDS indicates that the Councils intend to adopt the Plan in December 2025. The most up to date housing land supply evidence relates to 2024, whereas we have to make judgements about what may realistically have happened between then and the point of adoption. There is of course a significant degree of uncertainty, meaning that a precautionary approach should be taken.
19. We have considered the Councils' identified housing land supply as set out in EXAM 30A. At the hearing we focused our attention on the specific sites which had been challenged by participants in their statements as set out in the Scott Schedule (EXAM 73), but we have given consideration to all aspects of the anticipated supply.
20. The Councils identify a total supply of 7,989 dwellings for the 5 years from 2025/26 (EXAM 30A). At the hearing we focused our attention on the specific sites which had been challenged by participants in their statements as set out in the Scott Schedule (EXAM 73), but we have given consideration to all

aspects of the anticipated supply.

#### Lapse rates

21. The Councils have applied a 5% lapse rate to some elements of the housing land supply. There is no requirement to do so in either national policy or guidance, and the definition of deliverable in the NPPF includes the assessment of whether there is clear evidence that homes will be delivered within five years, thereby effectively dealing with this. We therefore consider that there is no need for the Councils to apply a lapse rate in the assessment of a 5-year housing land supply.

#### Components of supply

22. Table 3 of EXAM 30A sets out the Councils table of commitments in the 5YHLS calculation. Following our assessment of the different components of supply, we consider that the overall supply picture is as below:

#### Sites which do not involve major development and have planning permission, and all sites with detailed planning permission

23. We consider that all identified sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable as there is no clear evidence that homes will not be delivered within five years.

#### The sites with outline planning permission

24. In respect of SWDPR 60 Worcester South, we have had regard to the outline planning permission and the evidence that the site is in the process of being sold to a national housebuilder. However, in the absence of evidence of progress on the preparation of reserved matters applications or the physical development of the site, we consider that the site cannot be considered deliverable in terms of the NPPF. This is because there is no apparent progress on reserved matters applications, and we do not consider that there is clear evidence that housing completions will begin on the site within five years. Therefore, we exclude it from the 5YHLS. This removes 600 dwellings from the 5YHLS. There is no reason to doubt however that this site could not be delivered in full within the plan period.

#### Proposed Allocations

25. We have excluded a number of allocations from the 5YHLS as we do not consider that there is clear evidence that housing completions will begin on site within five years. These are listed in Annex 1 to this letter. This is because there is no extant planning permission for these sites, or demonstrable progress towards the submission of applications, with site assessment work, or clear relevant information about matters such as viability, ownership constraints and infrastructure provision having been provided. However, on the evidence,

we consider it likely that these sites will be delivered within the plan period, and should be pushed back in the housing trajectory. The anticipated delivery from these sites in the 5YHLS is around 390 dwellings.

### Windfall

26. The submitted plan in Policy SWDPR 02 includes a windfall allowance for the plan period of 2,460 dwellings. The Housing Topic Paper (HOU4) prepared for the Regulation 19 consultation says the following;

‘to ensure double counting has not occurred, the windfall allowance is not included in years 1-3, with years 4-10 including the full windfall allowance of 180 dwellings per annum. For the remainder of the plan period (years 11-20, 2031/32 to 2040/41) the windfall allowance is reduced by one third to 120 dwellings per annum. This is due to the expectation that smaller infill sites occurring across the SWC will reduce over time, and that the three strategic sites would be under construction, also reducing the reliance on windfall completions’.

27. This is the approach taken in the Strategic Housing and Employment Availability Assessment (SHELAA1) which includes a small sites windfall allowance of 180 dwellings per annum for years 4 to 10.
28. Post submission, the Councils consider that a small sites windfall allowance should be applied of 240 dwellings per annum. The average small site windfalls in the past 3 years for which there is evidence is appreciably below that figure, and we do not consider that there is compelling evidence to justify a figure of 240 dwellings per annum for the plan period. This is especially so considering that changes proposed to settlement limits are modest, and given the context of significant numbers of dwellings coming forward on the strategic sites.
29. The updated evidence in respect of small windfall sites does not convince us that an allowance of 240 dwellings per annum should be included in the housing land supply. The small site windfall allowance should be that set out in the submitted Plan, and applied from year 4 in the 5YHLS to avoid any double counting with commitments.

### Large site windfalls

30. The submitted Plan takes what the SHELAA describes as a cautious approach in not including large site windfalls. In EXAM 23 the Councils evidence the contribution to housing land supply that large site windfalls have made in the past 10 years. This is an average of 249 dwellings per annum. This figure excludes sites allowed on appeal. Clearly, large site windfalls have made a significant contribution to housing land supply in recent years. The extent to which this is down to the application of NPPF paragraph 11 at times where the

Councils could not demonstrate a 5-year housing land supply is not known. However, despite past trends, there is no compelling evidence before us that large site windfalls would continue at the recent rates into the future and be a reliable source of supply for the rest of the plan period. There is little evidence as to the type of site which has been coming forward, or of the capacity for such sites to come forward in the future. So, whilst we have some sympathy with the Councils in this regard, we do not include an allowance for large site windfalls.

#### Windfall conclusions

31. It is clear that windfall completions have been a significant element of housing land supply in South Worcestershire. Whilst we appreciate that there may very well be a continuing contribution from large windfalls, there is not compelling evidence before us that large site windfalls would continue at the recent rates and be a reliable source of supply for the rest of the plan period. Therefore, we do not agree that account of it should be made in the way the Councils propose.
32. Nevertheless, we are satisfied that the evidence before us is such that the ongoing supply of small windfall sites is much more certain, and we conclude that an allowance of 180 dwellings per annum from windfall sites should be included from 2028/29 to 2030/31 with windfall being 120 dwellings per annum for the years 2031/32 to 2040/41, giving a supply from windfall sites of 1,740 for the remainder of the plan period, and 360 in the 5-year housing land supply. This is some 1,086 fewer dwellings than that allowed for in the 5-year housing land supply as set out in EXAM 30A.

#### Conclusions on 5 year housing land supply

33. We consider that 2,076 dwellings should be removed from the 5 year housing land supply as stated in EXAM 30A (7,989). This means that the demonstrated 5 year supply of housing is 5,913, against the 5YHLS requirement of 6,479. Consequently, it has not been demonstrated that there would be a five-year supply of deliverable sites on the adoption of the Plan as per NPPF 74b by applying the required 10% buffer to a housing requirement based on the updated LHN, which means that housing land supply cannot be confirmed through the Plan.
34. The latest housing trajectory (EXAM 24A) shows that annual housing completions are likely to peak in the middle years of the plan period, before falling back. We broadly agree with this, though given our findings on the delivery of the allocations, housing land supply may be sustained at a higher level than set out in the trajectory further towards the end of the plan period. Consequently, the adoption of the Plan should significantly boost deliverable housing land supply in the medium term. And whilst a 5YHLS hasn't been

demonstrated, the adoption of the Plan would improve supply in the immediate term considerably above current levels.

35. At the hearing it was discussed as to whether paragraph 78 c of the current NPPF (2024) would apply to South Worcestershire as from 1 July 2026 whereafter a 20% buffer may apply when calculating whether there would be a 5YHLS. But this examination is being conducted on the basis of the NPPF 2023. Even if we had found that there was a 5YHLS on adoption against NPPF 74 B in the September 2023 NPPF, provisions of the current NPPF would take effect in any event.
36. Despite the Plan not providing for a 5-year housing land supply on adoption, we consider it pragmatic that it proceeds to adoption on this basis, despite the inconsistency with national policy in this regard. This is because crucially, the Plan will boost significantly the supply of housing as a whole and will meet the identified need across the plan period. It will also deliver new housing, beyond the plan period in particular in respect of the proposed new settlement at Worcestershire Parkway. Moreover, it will provide a contribution to addressing the unmet housing need in Tewkesbury.
37. Given these factors, we will not seek provision of further sites in an attempt to boost supply in the short term, which would in any event demand more housing than is needed for this Plan. In reaching that view we are mindful that the seeking of further sites would cause a considerable delay to the adoption of the Plan (which has already been delayed) and that housing land supply is likely to worsen further as the existing supply is taken up in the intervening time. Also, the Lichfield start to finish report which a number of representors have drawn to our attention, gives us little comfort as to the value of providing more allocations to boost supply for the short term, given the lead in times until delivery.
38. Furthermore, given paragraph 234 of the current NPPF, the Councils will be expected to begin work on a new plan, under the revised plan-making system provided for under the Levelling Up and Regeneration Act 2023 (as soon as the relevant provisions are brought into force), in order to address the anticipated shortfall in housing need against that to be established through the updated standard method.

#### Overall housing land supply

39. Our recommendations have implications for the supply of housing across the plan period as a whole as the allocation of 2,000 dwellings needs to be removed from supply given our findings in respect of the proposed new settlement at Throckmorton, along with the reduction in the number of windfall dwellings expected to arise from the 2,460 in the submitted Plan to 1,740 for the remainder of the plan period. Despite this reduction, the overall identified housing land supply for 2025 – 2041 should at least meet the total housing

requirement for that period. Whilst we have not been convinced that a contribution from large windfalls has been demonstrated sufficiently to include it in the housing land supply in the absence of compelling evidence, it may be that some does come forward. This would provide some headroom which gives further comfort that the overall requirement would be exceeded.

40. Table 1 of Policy SWDPR 02 sets out the anticipated housing land supply for the plan period and includes components which will inevitably change over time, quickly becoming out of date. The housing land supply elements of Table 1 should be removed from the Policy and set out instead in the explanatory text with it made clear that the housing land supply position is that which exists at the time of the examination. A MM should be prepared to this effect (see Annex 2).

### **Employment Land**

41. Taking account of the updates in the Economic Development Needs Assessment (EDNA) Addendum (EXAM 25), we are broadly content that the total employment land provision overall is sufficient to meet the employment requirement within the plan period and would provide an appropriate amount of land that would generate sufficient new jobs to support demand based on past take up rates. This conclusion takes into account our findings set out elsewhere in this letter in relation to the proposed allocations, including at Throckmorton. Our full reasoning will be set out in our report.

### **Green Belt**

42. NPPF paragraph 140 indicates that once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans.
43. The Plan proposes that the Green Belt boundaries are altered such that a small number of sites are removed from the Green Belt. The Green Belt in South Worcestershire is part of the outer edge of the larger West Midlands Green Belt but also includes a section of Green Belt between Droitwich Spa and Worcester. The South Worcestershire Green Belt Assessment Part 1 (SP5) was undertaken to assess the form and function of the Green Belt in respect of the fulfilment of the purposes set out in the NPPF. Part 2 of the study (PSX) considers the role of the Green Belt against site specific proposals. We are broadly content that the assessment has been undertaken on the basis of a clear and coherent methodology that is consistent with the NPPF.
44. The proposed employment site at Blackpole Road Worcester (SWDP NEW 10) is one of the sites proposed for removal from the Green Belt. The Green Belt Study Part 1 (SP1) considers the site as parcel S13 and finds that whilst the land has been severed from its countryside context to the north of the A449, it nevertheless makes a contribution to the Green Belt purpose of safeguarding

the countryside from encroachment. This reflects the open character of the land which is sufficiently extensive to present an impression of open countryside, as viewed from the canal towpath. SP1 finds that the development of the site would be harmful to the Green Belt, although the extent of the harm is judged to be limited to moderate, reflecting the open character of the land but has potential for visual and physical enclosure.

45. The Green Belt Topic Paper (EXAM 1F) and the Councils' Matter 3 statement (and attached Land at Blackpole Road Topic Paper) set out the exceptional circumstances to alter the Green Belt boundary. The site is adjacent to an important existing employment site on the edge of Worcester city and provides an opportunity for expansion. It is one of a limited number of opportunities to provide additional employment land within the administrative boundaries of the City of Worcester. The Economic Development Needs Assessment (EDNA) (EC01) recognises the loss of employment land across Worcester city and refers to a deficit there and a lack of alternative sites. The site is in a sustainable location with good access to the motorway and no objections have been raised.
46. That said, Policy SWDPR 02 relates to the employment requirement and deals with the plan area only. No targets are set for particular locations or local authority areas. The policy sets out that with reference to the gross demand for employment land in the EDNA, taking account of commitments and proposed employment allocations, there would be a surplus of employment land across the plan area. The updated addendum to the EDNA (EXAM 25) reduces both the need and the requirement figures (which include a 5 year buffer). It also indicates that there are significant cross boundary business and employment land relationships in South Worcestershire such that it would be appropriate to provide for some of the land supply in neighbouring areas as appropriate.
47. Additionally, 50 ha of land is proposed to be allocated for employment purposes as part of the strategic allocation at Worcestershire Parkway (Policy SWDPR 51). The majority of this is to be located near to junction 7 of the M5 on the south east side of Worcester and would be well related to the city itself (and not particularly remote from Blackpole Road). It would also be attractive to businesses looking to serve a regional or national market as anticipated at Blackpole Road.
48. We have now visited the site and had the chance to reflect on the proposal since the hearings. Notwithstanding the further helpful work the Councils have done to refine the Green Belt boundary to the south west corner of the site, and the proposed MM to require enhanced additional boundary planting and a new footpath, overall we are not convinced that exceptional circumstances exist to justify the alteration of the Green Belt boundary in this case. The necessary amendments to Policies SWDPR 04 and SWDPR 61 are included in Annex 2.

### **SWDPR 03 - Significant gaps**

49. Policy SWDPR 03 in part A sets out the principles that the Spatial Development Strategy comprises. Amongst other things these include criterion A iv 'Maintain the openness of the retained Green Belt and Significant Gaps'. Significant Gaps are defined in the Plan as follows: 'A local planning designation intended to protect the setting and separate identities of settlements by helping to avoid coalescence; retaining the existing settlement pattern by maintaining openness; and securing quality of life benefits of having open land adjacent to where people live'.
50. Significant Gaps are therefore a spatial development tool which we are content is justified in principle by the evidence before us, including SP27, the Significant Gap Appraisal.
51. There is a specific policy, Policy SWDPR 04 which is concerned with the Green Belt and at the hearing we discussed how that policy could be amended to make it consistent with national policy and effective. Significant Gaps however are not the subject of a specific policy. We consider that the inclusion of both Green Belt and Significant Gaps in the same criterion of the Policy is inconsistent with national policy as it seeks to afford Significant Gaps a status which goes beyond that which national policy affords to such local designations. Consequently, the Plan would not be effective and consistent with national policy in regard to the identified Significant Gaps.
52. The Councils, in their main suggested changes document (WS0/1) have suggested that a specific Significant Gaps policy is included in the Plan. We agree that this is necessary for soundness and have set out the scope of this in Annex 2.

### **SWDPR 18: Meeting Affordable Housing Needs**

53. Policy SWDPR 18 sets out a number of requirements for the provision of affordable homes for new residential development, including within designated rural areas, on greenfield sites and on brownfield sites. These would help to address the identified shortfall of around 906 affordable dwellings each year across South Worcestershire as set out in the Strategic Housing Market Assessment Update 2021 (HOU2). The viability assessment states that the Plan is deliverable with affordable housing at 40% on greenfield sites and 30% on brownfield sites.
54. At the hearings we discussed in particular the need for flexibility in the provision of affordable housing, including in relation to Worcestershire Parkway. We are satisfied that criterion G (amended to remove the words 'Exceptionally and usually on brownfield sites' as set out in Annex 2 to ensure soundness) provides an appropriate level of flexibility in terms of viability.



55. Criterion E requires 25% of affordable housing to be First Homes. The Councils propose to refer instead to an affordable homes tenure split of 70% social rented and 30% home ownership as set out in the SHMA. EXAM 38 justifies this position and refers to the 2024 NPPF which moves away from the 25% First Homes requirement. Footnote 31 explains that the requirement to deliver a minimum of 35% of affordable housing as First Homes as set out in the Affordable Homes Update Written Ministerial Statement (WMS) of 24 May 2021 no longer applies. Delivery of First Homes can however continue where local planning authorities judge that they meet local need.
56. We are mindful that the Plan is being examined under the September 2023 NPPF. Paragraph 6 of this states that other statements of government policy may be material when preparing plans, such as the relevant WMSs. However, the Councils have provided evidence that in South Worcestershire the requirement of 25% of the affordable housing provision on market led sites to be in the form of First Homes limits the delivery of other affordable home ownership such as shared ownership as well as social rented dwellings. In the circumstances we are satisfied that the affordable homes tenure split of 70% social rented and 30% home ownership is justified and appropriate for inclusion in criterion E in place of the reference to First Homes (see the MM suggested in Annex 2 which is necessary for soundness).

#### **SWDPR 51: Worcestershire Parkway**

57. The proposed Worcestershire Parkway new settlement is a strategic allocation to deliver approximately 10,000 dwellings and 50 hectares of employment land, a main town centre, gypsy and traveller pitches, along with the required infrastructure, and other services and facilities. It is proposed that approximately 5,000 dwellings and the employment land will be delivered in the plan period, with the development continuing beyond 2041. We are content that the selection of the site, which would be developed with the Worcestershire Parkway Railway Station and new town centre at its heart has been based on a sound methodology, and is justified in principle.
58. Policy SWDPR 51 sets out in some detail the policy requirements for the development of the new settlement. We agree that the policy requirements need to be comprehensive to ensure the effective implementation of the new settlement.
59. We are however concerned that the submitted Plan would not be effective in the implementation of the new settlement as it would not provide sufficient certainty that the new settlement would be developed in the comprehensive way needed for successful placemaking. It is unclear as to how the necessary land uses would be achieved across the site. This is due to the varied requirements for a spatial framework document to be prepared as a Worcestershire Parkway Supplementary Planning Document (WSPD), a master plan and a site-specific Infrastructure Delivery Plan (IDP) along with a

concept plan (Figure 2) which shows a broad distribution of land uses, which are not reflected on the Policies Map. Consequently, the Policy is not clearly written and is ambiguous, such that it is not evident how a decision maker should react to development proposals. This is inconsistent with the NPPF.

60. Since the submission of the Plan, the Councils, site promoters, land owners and consultees have made progress in resolving a number of outstanding matters relating to the implementation of the site. This is reflected in various Statements of Common Ground, written statements, evidence base documents and the Councils' proposed MMs. Furthermore, in August 2024 Worcestershire Parkway was announced by the Chancellor as one of the government's first 4 'accelerator' sites, a collaboration between the government and other parties to unblock and accelerate the delivery of housing developments.
61. The Councils' proposed MMs were discussed at the hearing. Overall, we are satisfied that the proposed MMs would give rise to an effective Policy to enable the successful implementation of the new settlement. However, the WPSPD would not be part of the development plan for the area, as it would not be subject to plan making processes and examination. If the Councils had wished that to be the case, then a specific development plan document should have been prepared. Consequently, SWDPR 51 should not require that planning applications must accord with the WPSPD. Similarly, the Policy indicates that the absence of an adopted WPSPD would mean that planning applications would not be determined. That is not effective, because the requirements for authorities to determine planning applications are set out in legislation. The necessary amendments are set out in Annex 2.
62. The Concept Plan essentially shows one way in which the new settlement may be developed. Whilst it is based on an OS Map, it does not allocate specific areas of land, nor is it part of the Policies Map. Therefore, it is not justified that the proposed MM to criterion E sets out that the WPSPD will follow the principles of the Concept Plan. However, we are minded to recommend that amendments are made to the proposed MMs to clarify the broad locations of the key components of the new town (See Annex 2).
63. At the hearing there was some discussion around the need for flexibility in terms of the provision of affordable housing across the development and that the 40% requirement should be on an 'up to' basis. We are satisfied that the scheme as proposed should be viable with 40% affordable housing overall consistent with SWDPR 18, but appreciate that given the different elements of the development which would come forward over the envisaged long term build period, this may give rise to different amounts of affordable housing being provided on different parts of the site as circumstances and dwelling mix and type vary. SWDPR 18 provides the required flexibility in terms of viability and we consider that the explanatory text should explain that there may need to be

some flexibility to the delivery of affordable housing between the different parts of the site, whilst the overall target of 40% is still met.

64. In terms of transport infrastructure we agree with the Councils that adequate crossing facilities of the existing railway lines need to be provided for all users so that severance is not built into the new settlement between its different parts. The proposed MM in criterion N 3 seeks to make provision for an 'all modes bridge' to link the western neighbourhoods, the town centre, educational and community facilities, and the southern neighbourhoods, triggered in accordance with a monitor and manage framework which would allow for sustainable travel. We consider that this requirement is justified and necessary.
65. Turning to education facilities, we do not find the trigger point of 800 homes for the provision of the secondary school in criterion P ii justified and consider that its delivery should be subject to the monitor and manage approach. We consider that the safeguarding requirements for education post 2041 are justified based on the current evidence, but expect that the ongoing need will be reviewed in subsequent local plans and may be revised as calculations of need change.

#### **SWDPR 52: Throckmorton**

66. Policy SWDPR 52 identifies land at Throckmorton as a new settlement of around 5,000 dwellings and 60 hectares of employment land. The first phase would deliver approximately 2,000 dwellings and 20 hectares of employment land towards the end of the Plan period from 2030.
67. Having carefully considered this proposed allocation, we are concerned about its developability due to a number of factors which will be set out in full in our report. These include: a lack of evidence of any overall agreement between the landowners or of meaningful collaborative working and the extent of remaining important areas for further discussion including the timing and sequencing of all land assembly in the context of the cessation of existing ongoing commercial operations; contamination and the need for remediation; the extent and cost of the upfront infrastructure required; and the delivery of the site alongside that of Worcestershire Parkway. We take the view that these factors are likely to restrict the number of dwellings and the amount of employment land that can be provided, and in particular affect the timing of their delivery.
68. On balance, we are not persuaded that there is a reasonable prospect that the land at Throckmorton would be available and could be viably developed at the point envisaged. There is insufficient evidence at this stage for the Plan to effectively allocate the area, or specific pieces of land within it such that it could make a contribution towards the delivery of homes or employment land by the end of the plan period. However, subject to more work being undertaken on developability, we acknowledge that the site could help to fulfil longer term

growth aspirations for a new settlement. As such, rather than being allocated for development at this time, we find that the site should be included in the Plan as a future area of search where development will only be permitted following its allocation through a review of the Plan. The necessary changes to the Policy are set out in Annex 2.

### **SWDPR 53: Rushwick Expanded Settlement**

69. The proposed Rushwick expanded settlement will be developed to deliver around 1,000 new homes and at least 5 hectares of employment land. It includes a new railway station and primary school, retail and community facilities along with land for 10 travelling showpeople plots. We are satisfied that the selection of the site has been based on a sound methodology and that the Councils' approach to identify the expanded settlement accords with the NPPF and is justified. As at Worcestershire Parkway, we consider that the policy should include robust and comprehensive requirements, amongst other things to ensure that Rushwick maintains its identity as a village separated from Worcester and its rural character.
70. The Concept Plan essentially shows one way in which the Rushwick Expanded Settlement may be developed. Whilst it is based on an OS Map, it does not allocate specific areas of land, nor is it part of the Policies Map. Therefore, it is not justified that the proposed MM to criterion B sets out that 'the strategic allocation will be expected to come forward in accordance with the Concept Plan and masterplan approved by the Local Planning authority...' See Annex 2 for the specific amendments necessary (which are consistent with those indicated for Policy SWDPR 51 above).
71. In terms of education requirements, on the balance of the evidence before us, we are of the view that the proposed allocation should deliver land for, and a financial contribution towards a centrally located 2 form entry primary school. However, the Plan should make clear that this is what is currently envisaged and that the provision should meet the needs arising from the development determined at the point where the S106 agreement can be completed (see Annex 2).
72. The submitted Plan sets out that the expanded settlement would have approximately 1,000 dwellings with an overall site wide density of 35 dwellings per hectare. The Rushwick Concept Plan Narrative (SA8) explains that the density figure of 30 – 35 dwellings per hectare should be achieved through the master planning process. The Councils' written statement explains that the density figure has been derived from the character of the area with its relatively low-density development. The Councils have suggested a MM to the effect that the 35 dpa figure should be a minimum net density, with higher density development encouraged around the transport hub and local centre. We broadly agree with this, and expect that the overall net density will be determined through the master planning process. We are content that the

overall amount of new housing should be phrased as being approximately 1,000, but that the explanatory text should set out that a higher number of dwellings and average net density may be achieved where the design policies of the Plan are met.

73. The Policy includes provision for a site for travelling showpeople on land to the north of Rushwick. Whilst we appreciate that this land is in the control of a housebuilder, the Councils are clear that they may use powers, such as Compulsory Purchase to secure the site to help meet the identified need for further plots. We consider that there is a realistic prospect of the site coming forward and consider that it should be allocated as a site for travelling showpeople (See SWDPR 20). SWDPR 53 should be amended to make clear that the provision for travelling showpeople is a standalone requirement and is not dependent upon the implementation of, or is a specific requirement of the Rushwick allocation (see Annex 2).

#### **SWDPR 57: Land at Hanbury Road, Droitwich Spa**

74. We heard at the hearing that the site was not put forward at the Regulation 18 stage, being first put forward in the submission Plan. Whilst some local residents consider that they had been excluded from the plan making process, it is not unusual for sites to come forward in this way. Given that people had the opportunity to comment at the Regulation 19 stage, the interests of local people were not prejudiced by the inclusion of the site in the Plan at that stage. We are satisfied that the site was selected in a robust manner. Whilst development at the site may have been refused at appeal in the past, that decision was some time ago and the planning context today is different. We consider that the site, albeit separated from Droitwich Spa by the M5 Motorway is in a sustainable location. In respect of education provision, we heard that it is presently unclear as to how that would be addressed for the site, but consider that the matter can be addressed through the development management process. We do not recommend any MMs in this regard.

#### **Protected landscapes and proposed allocations**

75. As required by section 245 of the Levelling-up and Regeneration Act 2023, in examining the Plan we have sought to further the purpose of conserving and enhancing the natural beauty of the Malvern Hills Area of Outstanding Natural Beauty and the Cotswolds National Landscape. In so doing, we have taken account of the Cotswolds National Landscape Management Plan 2023 – 2025, and the Malvern Hills Area of Outstanding Natural Beauty Management Plan 2019-2024. We also have had regard to the 'Guidance for relevant authorities on seeking to further the purposes of Protected Landscapes' published by the Department for Environment, Food & Rural Affairs on 16 December 2024.

## Malvern Allocations

### Deliverability of proposed allocations which require land owned by the Malvern Hills Trust

76. A number of the proposed allocations at Malvern require use of land owned by the Malvern Hills Trust for their implementation. The granting of an easement for the use of such land where required is subject to a specific process which operates separately from the planning system (EXAM 1G Briefing Note – Malvern Hills Acts). We do not consider that such requirements make the proposed allocations unsound. As appropriate, we have had regard to the implications of this factor in our consideration of housing land supply.

### Housing allocations at Malvern

77. The submitted Plan includes a number of proposed allocations for housing development. Generally, the sites are situated in areas where the Malvern Hills AONB Environs Landscape and visual sensitivity study (ENV1) finds some capacity for residential development. One exception to this is **SWDPR 55: Cales Farm**, for which planning permission was granted in March 2025, and the principle of development established at the site. The proposed allocation should be retained to provide policy for future applications for the site, subject to the proposed MMs.
78. The Welland Neighbourhood Plan (WNP) has been made since the Plan has been submitted for examination (EXAM 95). Welland is a category 1 village in the Plan, and the WNP makes sufficient provision to meet the Housing Requirement to 2041 for Designated Neighbourhood Areas in Annex E of the Plan. With an indicative capacity of 17 dwellings, the proposed allocation at **SWDP NEW 99 Lawn Farm (Phase 3)** would mean that the requirement in Annex E is exceeded. That does not make the Plan unsound however, as the NPPF is clear that housing requirements are minimum figures.
79. We note the views of some that the WNP makes allocations for housing and that the Plan therefore should not. But there is nothing in legislation to prevent this. Indeed, the Plan is specifically tasked with ensuring that sufficient land for the housing needed across its geographical area is provided for. We appreciate that the proposed allocation falls within the setting of the AONB, but consider that the site can be developed without harming the special qualities, and key characteristics of the AONB. We have been made aware that the proposed allocation would involve land for habitat creation, restoration and enhancement in relation to earlier development at Lawn Farm, but that is a matter for the Council to resolve through development management, and applying relevant development plan policies. We recommend no MMs in respect of this site.

## Employment land allocations at Malvern

80. A number of proposed allocations of employment land are made by the Plan at Malvern. We consider that proposed allocation **NEW 105 Park Farm, Blackmore Park Road** is unsound. The allocation is located adjacent to the AONB boundary, in an area identified in ENV1 as having no capacity for commercial use due to its sensitivity. We agree that the effects of landscape change which would occur could not be successfully mitigated, and the use of the site for commercial use would likely harm the tranquillity of the AONB through further activity and traffic growth. Whilst the site would provide employment land to meet local needs, where vacancy rates are low, we are not convinced that this outweighs the harm which would arise to the protected landscape. In addition, we do not consider that the potential effects of the site upon the Malvern Common SSSI have been assessed effectively. The proposed allocation should be deleted.
81. Similarly, the site known as **Land Adjoining Blackmore Park** (CSS0141b) should also be deleted. Whilst this is situated adjacent to a modern employment development, we are not convinced that the cumulative effect would be acceptable given the landscape capacity identified in ENV1.
82. **SWDP REALLOCATE 72** may be retained given the existing uses. The proposed allocation **SWDP NEW 107** is in a location where ENV1 states has limited capacity due to its visual sensitivity, for a design which is sensitive to views from the AONB and well mitigated. We agree however, that subject to a MM to address the need for mitigation, the proposed allocation is sound (see Annex 2). We heard that **SWDP NEW 108** has planning permission for office development and consider that given its location adjacent to existing employment development and its scale, that the proposed allocation is sound.
83. **SWDP NEW 109 Land at Mayfield Road Malvern** is a proposed employment allocation for 9.71 hectares on the edge of Malvern. The site is in part previously developed land, with the majority consisting of agricultural land. ENV1 states that there is no capacity for commercial development due to its sensitivity.
84. Whilst when viewed from the Malvern Hills the site falls within its setting and would be seen in the context of the wider town, we agree that its development could give rise to some harm to the special qualities, and key characteristics of the protected landscape, especially given the openness of the site and wider area beyond the town. The proposed site on the edge of the town would be well situated in terms of local accessibility. We also have regard to the need for employment development at Malvern to meet needs of the locality.
85. Overall, we consider that the proposed allocation is justified provided that development at the site is designed so as to avoid or minimise adverse impacts

on the AONB, and is provided with strong boundaries to the open countryside beyond. The proposed allocation should be subject to a site-specific policy which sets out development management criteria to secure the appropriate development of the site. The Councils should prepare a MM for our review.

## **SWDPR 20: Meeting the Needs of Travellers and Travelling Showpeople**

86. The Plan intends to identify a sufficient supply and mix of sites to meet the objectively assessed needs of travellers and travelling showpeople as set out in the updated GTAA (EXAM 28). This establishes the need for 167 traveller pitches and 16 plots for travelling showpeople over the plan period.
87. The emerging South Worcestershire Travellers and Travelling Showpeople Policies and Site Allocations DPD was the subject of Regulation 19 consultation in 2022. As discussed at the hearings, whilst the Councils now seek to incorporate the allocations from that DPD into Policy SWDPR 20, the consultation that took place on that document was not part of the preparation of the Plan before us and we are unable to consider the representations received. Accordingly, the smaller sites identified for allocation in that DPD cannot be incorporated into the Plan at this stage without giving rise to significant delay in the adoption of the Plan.
88. The proposed MM to criterion D seeks to introduce the requirement for an additional site of 10 plots for travelling showpeople at Worcestershire Parkway and another smaller site for travelling showpeople (2 plots at Kimberleys Field, Field Barn Lane, Crophorne). Although these sites are suggested in EXAM 28, in the absence of any evidence of a site selection process or consideration of reasonable alternatives these are not justified.
89. Criterion E relates to the urban extensions at Worcester South and Worcester West. However, financial contributions have already been secured through section 106 agreements in relation to outline planning permissions granted there and some reserved matters applications have also been approved (EXAM 84). We understand that the permissions do not cover the entirety of the allocations which have not been fully built out. Even so, in these circumstances the 20 pitches identified in Table 2 of EXAM 28 cannot be relied upon as a source of supply.
90. The PPTS and the PPG require a supply of specific deliverable sites sufficient to provide 5 years' worth of sites against locally set targets, and a supply of specific, developable sites, or broad locations for growth, for years 6 to 10 and, where possible, for years 11-15. In terms of supply, even taking into account the reductions set out above, Table 2 of EXAM 28 indicates that when pitches already granted consent and windfalls are taken into account, the total supply of gypsy and traveller pitches over the plan period would exceed the total need.



91. EXAM 28 indicates that 63 gypsy and traveller pitches and 12 plots for travelling showpeople are needed in the first 5 years of the Plan. Whilst the Councils accept that they may not be able to demonstrate a 5 year supply of gypsy and traveller pitches (based on the figures in Table 2 of EXAM 28), they refer to the evidence provided in EXAM 22A. This follow up study involved liaison with households about their identified needs and how they can best be met. It identifies the potential for additional windfalls to come forward in the first 5 years via the regularisation of unauthorised sites (up to 25 pitches) and the expansion/intensification of existing sites (up to 30 pitches). We are also mindful that the shortfall will be made up in subsequent years of the Plan via the required provision on the strategic sites.
92. In terms of sites for travelling showpeople, there would be a shortfall of plots over the Plan period overall and in the first 5 years. Given the landownership issues and since a planning application has not yet been made, we are not convinced that the 10 plots intended at Rushwick will come forward in the early part of the Plan. The Councils accept that fewer sites for travelling showpeople have historically come forward as windfalls and none are included in Table 2 of EXAM 28. However, EXAM 22A refers to pending applications and the potential for new plots for travelling showpeople which would contribute further to supply. It also identifies 2 plots which have the potential to arise from the expansion and intensification of existing sites. These would further contribute to supply such that the relatively modest shortfall of plots would be further decreased.
93. As such, taking a pragmatic approach we are satisfied that the matter of gypsies and travellers and travelling showpeople can be dealt with effectively in the Plan as sought by the Councils (and without the need for an additional DPD). Amendments required to the policy wording are included in Annex 2.

#### **SWDPR 44: Green Space**

94. We do not consider the education typology set out in the Open Space Assessment (OSA) to be justified or effective. It was not surveyed as part of the OSA and in some instances includes wide areas of land associated with education uses including buildings. We are mindful that the education sites may include playgrounds, playing fields and sports pitches which are covered by other open space typologies, and in the case of playing pitches, assessed in the separate Playing Pitch Strategy (July 2015) and protected under Policy SWDPR 46. As such, the blanket education typology should be excluded from the open space designation that is subject to Policy SWDPR 44. The Councils have agreed to separate out the different layers of greenspace on the interactive mapping. This work will establish where parts of any open space within the education sites typology are protected by virtue of falling within other typologies (see Annex 2).

## **National Flood Risk Mapping**

95. We are aware that the Environment Agency has recently updated the National Flood Risk Mapping. Would the Councils please advise us of what, if any, are the implications of this for the Plan?

## **Overall Conclusion**

96. On the evidence we have read and heard to date, all of the MMs set out in this letter and Annex 2 are necessary for the Plan to be sound. As set out above, we should be grateful if the Council would prepare a set of MMs for our review prior to consultation on them. There may be further MMs arising from our further hearing session in due course. Mr Kemp the PO will be in contact with you regarding the further hearing session. The MMs should be subject to Sustainability Appraisal and/or Habitats Regulations Appraisal as appropriate. The Councils are responsible for any amendments to its Policies Map and for undertaking any consultation on AMs. We look forward to reviewing these documents in due course, prior to consultation on MMs.
97. On receipt of this letter, the Councils should make it available to all interested parties by adding it to the examination website. However, we are not seeking, nor envisage accepting, any responses to this letter from any other parties to the examination.

Yours sincerely

*P Lewis   E Worthington*

INSPECTORS

## **Annex 1. Proposed allocations excluded from the 5 year housing land supply**

MHPH01 Land South of Madresfield Road

MHPH06 Land west of Terrills Lane

MHPH07 Hope Meadow Drive / Hope Lane

MHPH13 Land to centre of Bayton

MHPH14 Land South of Old Malvern Road

MHPH16 Broomfields Farm Shop, School Plantation

WCHO02 Land to the rear of 14-20 Barbourne Road

WYHMA09 Land off Davies Road (former leisure centre)

WYHMA13 Laurels Avenue

WYHMA14 Station Road

WYPH08 Land North East of Main Street

WYPH11 Land at Middle Lane / Field Barn Lane

WYPH16 Land off Upton Road

WYPH18 Blacksmiths Lane

WYPH20 Long Hyde Road

WYPH24 Land at junction of Cleeve Road and School Lane

## Annex 2

Please note that the action points in this table relate to matters in the hearings which were identified as requiring further consideration, as well as other matters where additional or amended MMs were needed. The list of actions is not comprehensive but is intended to provide direction to the Councils in producing a revised list of MMs. The reasoning for the advice will be set out in our final report.

<b>Procedural/legal requirements</b> <ul style="list-style-type: none"><li>• Incorporate footnotes throughout into policy text or reasoned justification.</li><li>• Insert new Annex in the Plan listing superseded policies.</li><li>• Remove de-allocated sites tables from the Plan and reflect in the superseded policies Annex as necessary.</li><li>• Delete paragraphs 1-7 of the Introduction via AMs and disregard the proposed MMs to those paragraphs which are not needed for soundness, introduce new text which has not been consulted on, and duplicate in part other text in the Introduction Section.</li><li>• Retain proposed MM to paragraph 9 and replace words 'once adopted' with 'was adopted on x date'.</li><li>• Amend paragraph 10 via an MM to remove the first sentence which is out of date and replace with 'The Plan sets out the housing and employment supply requirements.....' Additionally, make any other necessary changes in this section to reflect the adopted status of the Plan.</li></ul>
<b>SWDPR 01: Climate Change</b> <ul style="list-style-type: none"><li>• Councils to consider the cross over with Policy SWDPR 05 and duplication particularly in terms of the multiple sub-criteria in criterion C (including for example the removal of criterion C x).</li></ul>
<b>SWDPR 02: Employment, Housing and Retail Requirements</b> <ul style="list-style-type: none"><li>• Amend supporting text to explain that the 500 dwellings at Mitton are to meet Tewkesbury's needs.</li><li>• Retain the proposed MM to address the updated employment figures in the EDNA Addendum but include wording to ensure the requirement is expressed as a minimum.</li><li>• Remove the housing land supply elements of Table 1 from the Policy and set out instead in the explanatory text with it made clear that the housing land supply position is that which exists at the time of the examination.</li></ul>
<b>SWDPR 03: The Spatial Development Strategy and Settlement hierarchy</b> <ul style="list-style-type: none"><li>• Prepare a MM to criterion A to re-focus it to clearly set out a spatial development strategy. This should draw on Table 2 to set out the settlement hierarchy and explain where development will be directed amongst the various categories of settlement with the principles of sustainable development in mind. The reasoned justification at paragraphs 3.2 and 3.3 of the Plan could be utilised. For clarity, sub-criteria i to vi are largely without spatial focus and duplicate other policy requirements, and as a result they do not need to be retained in new criterion A.</li><li>• Move Table 2 from the policy into the supporting text, remove the carried forward and new allocations columns, and update the figures in light of the MMs recommended.</li></ul>

- Introduce a new specific policy relating to significant gaps. This should be limited to protecting the setting and separate identities of settlements by helping to avoid coalescence; retaining the existing settlement pattern by maintaining openness; and securing quality of life benefits of having open land adjacent to where people live. There is no evidence to justify inclusion of a criterion relating to visual character of the landscape which is a matter dealt with by other policies of the Plan (SWDPR 03, 26 and 30).
- Amend development boundaries to include the boundaries of allocations (see actions list) and explain the approach in the supporting text.
- Remove Annex E and add wording to clarify the role of Neighbourhood Plans at criterion G.

#### **SWDPR 04: Green Belt**

- Amend the policy and supporting text to refer consistently to the GB boundaries being altered to remove land from the Green Belt.
- Amend criterion A to refer to the Green Belt 'as shown on the Policies Map'.
- Delete criteria B to E and replace with a single criterion to reflect that the proposals for development in the Green Belt will be in accordance with the guidance in the NPPF.
- Amend and rationalise the supporting text to reflect this change, including the deletion of paragraph 4.5.
- Prepare an MM for criterion F i and ii relating to Hindlip Park to reflect the agreed wording in the SOCG at EXAM 65 and associated changes to the supporting text.
- Amend F iii to accord with the Dec 2024 NPPF (para 154 g) to read 'not cause substantial harm to the openness of the Green Belt'.
- Disregard the proposed MM to introduce a new criterion G listing the sites to be removed from the Green Belt.
- Remove reference to the Blackpole Road site from the supporting text.

#### **SWDPR 05: Design and Sustainable Construction**

- Amend proposed new ii in MM to ensure that proposals 'conform to the NP' but 'have regard to' other design codes and masterplans etc that are outside the NP.
- Delete criterion B v as covered by Policy SWDPR 01.
- Amend criterion B ix to add words 'or equivalent assessment'.
- Disregard proposed MM to add additional wording to criterion B iv as it is not justified or required for soundness.
- Disregard proposed MM to criterion B which seeks to add new text at xii regarding gull control which is already addressed in Policy SWDPR 26 B.

#### **SWDPR 06: Transport**

- Amend reference in criterion A to 'at least maintain highway safety for all users' to reflect NPPF paragraph 111 which only resists development where there would be an 'unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'
- Replace 'be consistent with' in criterion A with 'have regard to'.
- Replace 'should be clearly supportive of' in criterion B with 'have regard to'.
- Amend criterion B to require travel plans for 'development that will generate significant amounts of movement' to accord with NPPF paragraph 113 (rather than 'for all major developments').

<ul style="list-style-type: none"> <li>• Amend cross reference to Policy SWDPR 06 in criterion to D to Policy SWDPR 09.</li> <li>• Remove criterion H and consider wording for inclusion in the supporting text as necessary.</li> <li>• Include a reference in criterion M to S278 of the Highways Act.</li> </ul>
<p><b>SWDPR 07: Green Infrastructure</b></p> <ul style="list-style-type: none"> <li>• Amend criterion B to read ‘employment and retail proposals (including mixed use commercial schemes) are required to contribute towards the provision, maintenance, improvement and connectivity of multi-functional GI. The proportion of GI will.....’</li> <li>• Amend criterion D to add the words ‘where appropriate’ after the word ‘implemented’.</li> <li>• Delete new criterion G (as set out in EXAM 90) and signpost the new AIRs policy in the supporting text.</li> <li>• Delete new criterion I from the policy and include in the supporting text.</li> <li>• Amend the supporting text at new paragraph 7.12 as set out in EXAM90 to refer to criterion H not G.</li> <li>• Provide further justification and details as to how the contributions would be calculated and spent (with reference to the updated SPD) in the supporting text.</li> </ul>
<p><b>New Policy SWDP X: AIRs</b></p> <ul style="list-style-type: none"> <li>• Include the exceptions to criterion D set out in footnote 1 within the policy wording.</li> <li>• Provide further justification and details as to how the contributions would be calculated and spent (with reference to the updated SPD) in the supporting text.</li> </ul>
<p><b>SWDPR 08: Historic Environment</b></p> <ul style="list-style-type: none"> <li>• Delete criterion C (the proposed MM to this criterion is therefore superfluous).</li> <li>• Delete supporting text paragraph 8.1.</li> </ul>
<p><b>SWDPR 09: Infrastructure</b></p> <ul style="list-style-type: none"> <li>• Delete the list of types of infrastructure from paragraph 9.5 which repeats criterion D of the policy.</li> </ul>
<p><b>SWDPR 11: Providing the Right Land and Buildings for Jobs</b></p> <ul style="list-style-type: none"> <li>• Amend criterion C to read ‘proposals for town centre uses on allocated employment sites will only be permitted if they are related in scale and use <b>and ancillary to</b> the primary employment focus of the site, and would comply with Policy SWDPR 12’.</li> <li>• Amend criterion D to include the list of strategic employment sites at F (and disregard currently proposed MM)</li> <li>• Amend criterion E i 1 to read: Details of comprehensive marketing of the premises/land for employment uses for at least 12 months and appropriate to the prevailing market conditions <i>shall be carried out in accordance with the requirements set out in Annex B of the Plan.</i></li> <li>• Disregard the proposed MM for new criterion E which is covered by Policy SWDPR 28.</li> </ul>
<p><b>SWDPR 12: Promotion of Town, District and Local Centres</b></p> <ul style="list-style-type: none"> <li>• Amend proposed MM criterion C to remove reference to farm shops, garden centres and petrol filling stations since they are not main town centre uses. Refer to ‘uses’ (not us) and ‘boundaries’ (not boundary).</li> </ul>

<ul style="list-style-type: none"> <li>• Amend criterion K as necessary to reflect this.</li> <li>• Changes to the supporting text proposed in the Minor Mods table (the second new paragraph) relates to how criterion C will be applied and should be included within the Policy itself.</li> <li>• The proposed MM for criterion D at new vi should be incorporated into the main part of D. Suggest, add words 'outside the Primary Shopping Area of a' before Defined Centre. Delete words 'not within a'.</li> <li>• An additional MM is needed to add the town centre designations for each of the strategic allocations in the paragraph below Table 4 as agreed at the hearings.</li> </ul>
<p><b>SWDPR 13: Non-Allocated Employment Development</b></p> <ul style="list-style-type: none"> <li>• Amend criterion B to read: In granting permission <i>where there is clear justification to do so</i>, the LPA will remove permitted development rights that would otherwise allow conversion of the development to non-business uses.</li> <li>• Include the footnotes in the policy or the supporting text.</li> </ul>
<p><b>SWDPR 14: Employment in Rural Areas</b></p> <ul style="list-style-type: none"> <li>• Provide explanation in the supporting text to qualify that in line with paragraph 123 of the NPPF, notwithstanding the provisions of criterion A, the Councils will support proposals to use employment land for homes in areas of high housing demand, provided this would not undermine key economic sectors or sites.</li> <li>• Consider amending MM to criterion A to refer to category 1,2,3 'villages' rather than 'settlements' to be consistent with the wording at existing C.</li> <li>• Amend the MM to criterion A new v to read 'satisfy the marketing requirements set out in Annex B of the Plan.'</li> <li>• Delete paragraph 4.3 of the supporting text.</li> <li>• Amend the MM to new criterion ix to read 'they meet the requirements regarding live-work units set out in Annex D of the Plan'.</li> <li>• Amend criterion D and the proposed MM regarding residential conversion of employment buildings, to reflect all of the exceptions in paragraph 80 of the NPPF regarding isolated homes in the countryside (if necessary by simple cross reference to the exceptions at NPPF paragraph 80). Amend i to read 'satisfy the marketing requirements set out in Annex B of the Plan'. Amend the end of ii to add 'meet the requirements <i>regarding rural workers dwellings set out in Annex D of the Plan.</i>'</li> </ul>
<p><b>SWDPR 15: Effective Use of Land</b></p> <ul style="list-style-type: none"> <li>• MM as drafted should be clear that criterion G is intended for deletion, and to indicate which existing policy text new criteria I and L are intended to replace.</li> <li>• Delete words 'within the plan period' from new criterion I.</li> </ul>
<p><b>SWDPR 16: Housing Mix and Standards</b></p> <ul style="list-style-type: none"> <li>• Disregard proposed MM to criterion A (Housing Mix) to introduce the housing mix table from the SHMA (and associated changes to the policy wording). Retain reference to the mix being set out in the SHMAA.</li> <li>• Disregard the MM to criterion B (Internal Space Standards) which seeks to add the words 'in order to ensure that dwellings provide and appropriate level of accommodation space' to the beginning of the criterion.</li> <li>• Amend criterion B to add the words 'unless this is demonstrated to be unfeasible'.</li> </ul>

<ul style="list-style-type: none"> <li>Amend criterion D to read ‘.....should also meet the requirements of the <i>Buildings Regulations Part M4(3) Wheelchair User Dwellings</i>’. This is to ensure reference is to the overarching M4 (3) requirements as set out in the SHLAA (which incorporate both wheelchair adaptable dwellings (a) and wheelchair accessible dwellings (b)). Disregard the proposed MM to D.</li> <li>Include feasibility flexibility clauses in footnotes 38 and 40 into C and D.</li> <li>Amend the new wording at the end of the proposed MM to criterion E to read ‘The plots should be effectively marketed at a realistic price for 18 months. Any plots that remain unsold after this period shall revert to the developer for development and sale as market homes’.</li> </ul>
<p><b>SWDPR 18: Meeting Affordable Housing Needs</b></p> <ul style="list-style-type: none"> <li>Delete the words ‘Exceptionally and usually on brownfield sites’ from criterion B.</li> <li>Remove reference to ‘First Homes’ from criterion E and refer to the 70% social rented and 30% home ownership as set out in the proposed MM, however the additional words in red at the end of the MM should be disregarded as should the proposed introduction of Table 1 from the SHMA.</li> <li>Amend the supporting text to reflect consequential changes and include reference to the SHMA by means of justification for the changes proposed to criterion E as necessary.</li> <li>Draft a MM to provide support for 100% affordable housing schemes in the supporting text.</li> </ul>
<p><b>SWDPR 19: Rural Exception Sites</b></p> <ul style="list-style-type: none"> <li>Amend proposed MM to criterion A iv to ensure the second sentence of the criterion reflects directly the wording at footnote 35 of the Framework which refers to sites not being larger than 1 hectare in size or exceeding 5% of the size of the existing settlement.</li> </ul>
<p><b>SWDPR 19A: First Homes Exception Sites</b></p> <ul style="list-style-type: none"> <li>Amend criterion A iii as above in the case of Policy SWDPR 19, to ensure the second sentence of the criterion reflects directly the wording at footnote 35 of the Framework which refers to sites not be larger than 1 hectare in size or exceed 5% of the size of the existing settlement.</li> </ul>
<p><b>SWDPR 20: Meeting the Needs of Travellers and Travelling Showpeople</b></p> <ul style="list-style-type: none"> <li>Draft a new MM to rename Tables 5 and 6 to Tables 20a and 20b and update them to reflect the figures in the revised GTAA.</li> <li>Delete final sentence of criterion A from ‘the LPA will identify sites...’</li> <li>Delete reference to Throckmorton from criterion D and the words ‘and sited within the allocation boundaries in the locations, as defined in the masterplans for each new settlement’. Add clarification here that the site at Rushwick is for travelling showpeople.</li> <li>Disregard proposed MM for D in its entirety. A third gypsy and traveller site coming forward at Worcestershire Parkway post 2041 is not justified since there is no evidence before us relating to need post 2041 and this is in any event a matter for a review of the Plan. The further changes proposed in this MM repeat other parts of the policy and are unnecessary.</li> <li>Amend criterion E to add the words ‘delivery will either be through on-site provision or off-site provision via developer contributions.’</li> <li>Make the corresponding MMs to Policy SWDPR 60.</li> </ul>



<ul style="list-style-type: none"> <li>• Include provision relating to significant gaps within the changes already proposed in the MM concerning the design criteria in criterion F.</li> <li>• Disregard proposed MMs at F and G and new table 20c.</li> <li>• Make consequential changes to the supporting text.</li> </ul>
<p><b>SWDPR 21: Replacement Dwellings in the Open Countryside</b></p> <ul style="list-style-type: none"> <li>• The proposed MM to criterion iii incorporates footnote 75 into the text of the policy, but also seeks to extend the period under which previous extensions are taken into account from 5 years to 10 years. In the absence of any justification for this extension of time, we do not regard this element of the MM to be necessary for soundness and the proposed change in period should be disregarded from the MM.</li> <li>• The proposed MMs to criterion iv and new proposed criterion B were not part of the submitted plan, have not been justified and are not necessary for soundness.</li> </ul>
<p><b>SWDPR 22: Dwellings for Rural Workers</b></p> <ul style="list-style-type: none"> <li>• Make consequential changes to the supporting text from the proposed MM to A iii to refer to 'gross internal area'. In particular paragraph 9.4 refers to net useable floor space, and cross references to the Glossary (although such a definition is absent from the Glossary and this also needs to be addressed).</li> <li>• A further change to criterion ii is sought in the proposed MM to increase the length of time that is unacceptable that a dwelling serving the site was lost from 5 years to 10 years. No justification for this extension to the time period has been provided and it should be disregarded from the MM.</li> </ul>
<p><b>SWDPR 25: Extensions to Residential Curtilage Beyond a Defined Development Boundary</b></p> <ul style="list-style-type: none"> <li>• Amend criterion E via an MM to directly reflect the NPPF wording and to read:.....the LPA may remove permitted development <i>rights where there is clear justification to do so</i>.</li> </ul>
<p><b>SWDPR 26: Design</b></p> <ul style="list-style-type: none"> <li>• Disregard proposed MM to criterion B, but amend B to refer as in Policy SWDPR 05 to 'or equivalent assessments'.</li> <li>• Amend criterion B x to require development to 'have regard to' Secured by Design guides rather than seeking consistency.</li> </ul>
<p><b>SWDPR: 27 Biodiversity and Geodiversity</b></p> <ul style="list-style-type: none"> <li>• Insert a new criterion related to the requirements of mandatory BNG. This should refer specifically to the mandatory requirements relating to BNG as set out in the Environment Act 2021, the 10% requirement, and the mechanisms by which it is calculated including the use of the Statutory Biodiversity Metric and the Small Sites Metric (without citing the versions). It may be possible to incorporate existing parts of criterion A as appropriate, parts of paragraph 2.6 of the supporting text of the Plan and the MM proposed to paragraph 2.4 (and make other consequential changes).</li> <li>• Insert reference to Urban Biodiversity Corridors and their presence on the Policies Maps.</li> </ul>
<p><b>SWDPR 28: The Cotswolds National Landscape (NL) and Malvern Hills Area of Outstanding Natural Beauty (AONB)</b></p> <ul style="list-style-type: none"> <li>• Amend criterion A to reflect the changes suggested by the Cotswold and Malvern Hills National Landscape Teams in EXAM 93 with regard to setting.</li> <li>• Retain the proposed MM to criterion B as drafted in WS0/1.</li> </ul>

<ul style="list-style-type: none"> <li>Amend the proposed MM in WS0/1 to criterion C to delete wording requiring 'consistency' with the good practice guidance, and include the full titles of the Management Plans, Board and Partnership as suggested in EXAM 93.</li> <li>Prepare an amended MM to criterion D reflect the Councils' position set out in EXAM 93A to delete repetition with criterion C, and to refer to the approach to residual adverse effects in terms of avoid, mitigate, compensate.</li> </ul>
<b>SWDPR 29 Management of the Historic Environment</b> <ul style="list-style-type: none"> <li>Delete criterion E (the proposed MMs to E now G are therefore superfluous).</li> <li>Disregard the proposed MMs to criterion A and to introduce new criterion B which are not necessary for soundness.</li> </ul>
<b>SWDPR 31: Amenity</b> <ul style="list-style-type: none"> <li>Amend criterion A to read 'create a high standard of amenity' rather than 'avoid creating any unacceptable adverse impact'.</li> </ul>
<b>SWDPR 32: Telecommunications and Broadband</b> <ul style="list-style-type: none"> <li>Delete criterion B as it is not justified.</li> </ul>
<b>SWDPR 33: Renewable and Low Carbon Energy</b> <ul style="list-style-type: none"> <li>Amend final sentence of criterion A to read 'unless it has been demonstrated that this would be unfeasible or would make the development unviable.'</li> </ul>
<b>SWDPR 40: Tourist Development</b> <ul style="list-style-type: none"> <li>Delete criterion A iv.</li> </ul>
<b>SWDPR 41: Visitor Accommodation</b> <ul style="list-style-type: none"> <li>Repeat the requirements of 'appropriate type and scale' and 'no adverse impact' from criterion A in criterion B since it stands alone</li> </ul>
<b>SWDPR 42: Static and Touring Caravans, Chalets and Camping Sites (Holiday Accommodation)</b> <ul style="list-style-type: none"> <li>Amend the proposed MM to recognise that opportunities to maximise sustainable transport solutions will vary between urban and rural areas.</li> </ul>
<b>SWDPR 43: Built Community Facilities</b> <ul style="list-style-type: none"> <li>Delete criterion A.</li> <li>Include reference in supporting text to situations where healthcare facilities are declared surplus to the operational healthcare requirements of the NHS or identified as surplus as part of a published estates strategy or service transformation plan.</li> </ul>
<b>SWDPR 44: Green Space</b> <ul style="list-style-type: none"> <li>Amend the policy title to Open Space (and make other consequential changes).</li> <li>Remove the Urban Biodiversity Corridors from the green space layer on the interactive map and map them separately for consideration under Policy SWDPR 27.</li> <li>Show the different typologies set out in the Open Space Assessment separately on the interactive map.</li> <li>Amend criterion B to read: 'Development of open space will not be supported other than in the circumstances set out in paragraph 99 of the NPPF'.</li> <li>Amend criterion C to remove reference to new land being designated as open space outside the Local Plan review process (make any consequential amendments to the other policies cited in C).</li> </ul>
<b>SWDPR: 45: Provision of Green Space and Outdoor Community Uses in New Development</b>

<ul style="list-style-type: none"> <li>Amend Green Space to Open Space in the policy title (and make other consequential changes)</li> </ul>
<p><b>SWDPR 46: Playing Fields</b></p> <ul style="list-style-type: none"> <li>Amend criterion B to refer to the tests at paragraph 99 of the NPPF only as in Policy SWDPR 44.</li> </ul>
<p><b>SWDPR 51: Worcestershire Parkway</b></p> <ul style="list-style-type: none"> <li>Amend policy to provide contingency should the SPD not be adopted within the timeline set out.</li> <li>Amend policy to provide wording to ensure that development is integrated with existing uses and residents and that any adverse impacts are mitigated.</li> <li>Delete the requirement that planning applications must accord with the SPD. Amend proposed criterion E to read that all planning applications must have regard to the SPD.</li> <li>Delete the requirement that the absence of an adopted SPD would mean that planning applications would not be determined.</li> <li>Make consequential changes to the supporting text.</li> <li>Draft an MM to set out the broad locations of the key components of the new town. For example, proposed criterion J could be amended to state: <ul style="list-style-type: none"> <li>50 hectares of employment land situated on land to the northeast and south of junction 7 of the M5;</li> <li>A main town centre to be situated to the northeast of Worcestershire Parkway railway station.</li> </ul> </li> <li>Retain the Concept Plan but clearly marked as being indicative with the explanatory text explaining that it represents one way in which the site could be developed.</li> <li>Amend criterion O to refer to the local planning authority rather than the garden community.</li> <li>Remove the trigger point of 800 homes for the provision of the secondary school in criterion P ii and refer instead to its delivery being subject to the monitor and manage approach.</li> <li>Amend the overly prescriptive requirement for a low-key vehicular link from the B4084 at Q iii to refer to future access from the development to the south of a possible south platform including a direct link to the station where feasible.</li> </ul>
<p><b>SWDPR 52: Throckmorton</b></p> <ul style="list-style-type: none"> <li>Draft a MM to identify the proposed allocation as a future area of search. This should set out broad indications of the parameters for the new settlement which could be allocated in a future review of this Plan.</li> <li>Consider the consequential amendments needed throughout the Plan.</li> <li>Remove the precise boundary from the Policies Map and rely on the notation to the key diagram (re-named).</li> </ul>
<p><b>SWDPR 53: Rushwick</b></p> <ul style="list-style-type: none"> <li>Amend the proposed MMs to align with the amendments needed to Policy SWDPR 51 as set out above.</li> <li>Revise the proposed MM to criterion B to retain reference to the masterplan but to clarify the broad locations for the key components of the proposed land uses such as the transport hub, housing and employment provision.</li> </ul>

<ul style="list-style-type: none"> <li>• Retain the Concept Plan but clearly marked as being indicative with the explanatory text explaining that it represents one way in which the site could be developed.</li> <li>• Amend criterion D v regarding school provision as set out in the main body of the letter.</li> <li>• Include an MM to make clear that the provision for travelling showpeople is a standalone requirement and is not dependent upon the implementation of, or is a specific requirement of the Rushwick allocation.</li> </ul>
<p><b>SWDPR 57: Hanbury Road</b></p> <ul style="list-style-type: none"> <li>• Amend policy to refer to monitor and manage approach to education including a criterion to safeguard land for future school requirements.</li> </ul>
<p><b>SWDPR 61: Worcester City Allocations</b></p> <ul style="list-style-type: none"> <li>• Land at Navigation Road Diglis – amend proposed new policy criterion B as set out in the SOCG to ‘have regard to’ the concept plan (not to come forward broadly in accordance with).</li> <li>• Lowesmoor Wharf – incorporate the footnote in the MM into the policy itself.</li> <li>• Chequers Lane/Henwick Road – update site area on Policies Map and make any consequential changes to Policy SWDPR 61.</li> <li>• Blackpole Road – delete employment allocation.</li> <li>• Worcester Woods Business Park Newtown Road – retain the proposed MM to identify the site in part as a school and in part as employment land but with additional wording to allow flexibility if the school does not come forward.</li> <li>• Remove Table 17 and all the de-allocated sites.</li> </ul>
<p><b>SWDPR 62: Malvern Hills Allocations</b></p> <ul style="list-style-type: none"> <li>• Delete the employment allocation at NEW105 Park Farm Blackmore Park Road.</li> <li>• Delete the employment allocation at Land adjoining Blackmore Park (CSS0141b).</li> <li>• Prepare a MM to SWDP NEW 107 to address the need for mitigation.</li> <li>• Prepare a MM to SWDP NEW 109 Land at Mayfield Road Malvern to provide a site specific policy which sets out development management criteria to secure the appropriate development of the site.</li> </ul>
<p><b>SWDPR 63: Wychavon Allocations</b></p> <ul style="list-style-type: none"> <li>• Union Lane – amend criterion B in the proposed new policy to indicate that the development brief will ‘have regard’ to the concept plan (not be in accordance with it).</li> <li>• Land south of the Holloway Pershore – incorporate new footnote in MM regarding mitigation to Tiddesley Wood into the policy.</li> <li>• NEW 31 land off Inn Lane Roselands – prepare a MM to delete site.</li> <li>• Remove Table 38 and all the de-allocated sites.</li> </ul>
<p><b>SWDPR 64: Implementation and Monitoring</b></p> <ul style="list-style-type: none"> <li>• Delete criterion C as drafted in the Plan in its entirety (and do not repeat as new criterion D).</li> </ul>

# Comments on EXAM 38 and 38A-E

For Bloor Homes Midlands | 25-285

Cannock Chase 5YHLS

Project: 25-285  
Site Address: Cannock Chase 5YHLS  
Client: Bloor Homes Midlands  
Date: 5<sup>th</sup> August 2025  
Author: Ben Pycroft



# Contents

1.	Introduction and summary	1
2.	What constitutes a deliverable site?	11
3.	Disputed sites in EXAM 38B	25
4.	Conclusions	52



# 1. Introduction and summary

1.1 Emery Planning is instructed by Bloor Homes Midlands to provide comments on the following documents, which were uploaded to the examination library on 29<sup>th</sup> July 2025:

- EXAM 38 - Inspector Note on Housing Trajectories;
- EXAM 38A - Housing Trajectory Submission Version;
- EXAM 38B - Housing Trajectory Proposed Mods Version;
- EXAM 38C - LPA Note on differences between Submission and Proposed Modifications Trajectories;
- EXAM 38D - Housing Trajectory Table – Submission Version Enlarged; and
- EXAM 38E - Housing Trajectory Table – Proposed Modifications Version Enlarged.

1.2 The Inspector has invited comments on the content of these documents by 4PM on Tuesday 5<sup>th</sup> August 2025.

## Background

1.3 The Council cannot currently demonstrate a five year housing land supply (5YHLS). The Council's latest 5YHLS position statement (EXAM 4) explains that at 1<sup>st</sup> April 2024, the deliverable supply is 1,026 dwellings, which against the local housing need of 518 dwellings per annum and a 5% buffer equates to 1.88 years (EXAM 4, PDF page 10 – table 5.2).

1.4 The Local Plan was submitted on the basis that a 5YHLS would not be demonstrated upon adoption of the plan. The trajectory (EXAM 38A) showed a deliverable supply at 1<sup>st</sup> April 2025 of 1,361 dwellings as summarised in the following table:

**Table 1.1 – Summary of Council's 5YHLS trajectory at 1<sup>st</sup> April 2025 as set out in EXAM 38A**

2025-26	2026-27	2027-28	2028-29	2029-30	Total 5YHLS
192	225	211	316	417	1,361

1.5 Against an annual requirement of 264 dwellings per annum and a 5% buffer, 1,361 dwellings equates to 4.91 years.





- 1.6 Whilst the Local Plan is being examined against the December 2023 NPPF, which did not include a 5% buffer, this was re-instated in the December 2024 NPPF and in practice will be applied in the 5YHLS calculation upon adoption. From 1<sup>st</sup> July 2026, the 20% buffer will apply in accordance with paragraph 78c) of the December 2024 NPPF because the proposed adopted housing requirement is less than 80% of the local housing need.
- 1.7 Document H15 – “Meeting Housing Needs Topic Paper” also explains that a 5YHLS would not be demonstrated on adoption of the plan. Table 4.12 on PDF page 22 of H15 states that the deliverable supply at 1<sup>st</sup> April 2025 would equate to 4.8 years.
- 1.8 However, with the changes the Council now proposes to make to the trajectory (EXAM 38B), the Council now claims that it will be able to demonstrate a 5YHLS on adoption of the plan. The Council’s revised trajectory (EXAM 38B) claims a deliverable supply at 1<sup>st</sup> April 2025 of 1,581 dwellings as summarised in the following table:

**Table 1.2 – Summary of Council’s 5YHLS trajectory at 1<sup>st</sup> April 2025 as set out in EXAM 38B**

2025-26	2026-27	2027-28	2028-29	2029-30	Total 5YHLS
242	225	266	386	462	1,581

- 1.9 Against an annual requirement of 264 dwellings per annum and a 5% buffer, 1,581 dwellings equates to **5.7 years**. This is a surplus in the 5YHLS of 195 dwellings as summarised in the following table.



**Table 1.3 – Difference in the Council’s claimed 5YHLS in the trajectories EXAM 38A and EXAM 38B**

	<b>Requirement</b>	<b>LPA – EXAM 38B</b>	<b>LPA – EXAM 38A</b>
A	Annual emerging housing requirement	264	264
B	Five year requirement	1,320	1,320
C	5% buffer	66	66
D	Total five year requirement including 5% buffer	1,386	1,386
E	Annual housing requirement including 5% buffer	277.2	277.2
	<b>Supply</b>		
F	Deliverable supply at 1 <sup>st</sup> April 2025	<b>1,581</b>	<b>1,361</b>
G	Supply in years (F / E)	<b>5.7</b>	<b>4.91</b>
H	Over / under supply against 5YHLS requirement plus buffer (F – D)	<b>195</b>	<b>-25</b>

1.10 This is a material change compared to the position when the Local Plan was submitted. Our client therefore welcomes the opportunity to comment on the contents of the documents listed in paragraph 1.1 above, including the revised trajectory (EXAM 38B) and the Council’s claim that it can now demonstrate a 5YHLS upon adoption of the Local Plan.

## Summary

1.11 This statement explains that we disagree with the inclusion of 16 sites in the Council’s 5YHLS trajectory at 1<sup>st</sup> April 2025. These 16 sites are category b) sites, as set out in the definition of “deliverable” on page 69 of the December 2023 NPPF. These sites should “only” be considered deliverable “where there is clear evidence that housing completions will begin on site within five years”. In the absence of “clear evidence”, these sites are not deliverable and should be removed from the 5YHLS.

1.12 The 16 disputed sites are listed in the following table.



Table 1.4 – Disputed sites listed in EXAM 38B

Site Ref(s)	Site	Capacity	Council 5YHLS	Comments	Difference
H16 and C113g	Land west of Pye Green Road, Hednesford Cannock	51	51	The site has outline pp for 51 dwellings but the RM application pending is for 47. The Council has not provided clear evidence for the inclusion of 4 dwellings in the 5YHLS and these should be removed.	4
M6 and R143	Rugeley Market Hall and Bus Station, Rugeley	50	25	This site does not have planning permission or an application pending determination. There is no clear evidence of firm progress being made towards the submission of an application.  The 2024 SHLAA (EXAM 5) lists the site as being <b>“restricted and excluded”</b> and states that it is <b>“not available”</b> .	25
H29 and C488	Land at 521 Pye Green Road, Hednesford, Cannock	80	38	This site does not have planning permission or an application pending determination. There is no clear evidence of firm progress being made towards the submission of an application.  The 2024 SHLAA (EXAM 5) lists the site as being <b>“achievable within 6-15 years”</b> .	38
M1 and C505	Multi Storey Car Park, Market Hall and Retail Units, Church Street, Cannock	70	60	This site has outline pp for mixed use including extra care / retirement of up to 70 dwellings. A reserved matters application has not been made and there is no clear evidence of firm progress being made towards a RM application.  The 2024 SHLAA (EXAM 5) lists the site as being <b>“achievable within 6-15 years”</b> .	60
H35 and C177	Land at Girton Road / Spring Street, Cannock	24	24	The site does not have pp. A full application was made over 3.5 years ago. A resolution to grant was made 2.5 years ago and the S106 has not been agreed and signed since.  The 2024 SHLAA (EXAM 5) lists the site as being <b>“achievable within 6-15 years”</b> .	24



Site Ref(s)	Site	Capacity	Council 5YHLS	Comments	Difference
H38 and C86	Land at Walsall Road, Avon Road, Hunter Road, Hallcourt Lane, Cannock	24	24	<p>The site does not have planning permission or a planning application pending determination. There is no clear evidence of firm progress being made towards the submission of an application.</p> <p>The 2024 SHLAA (EXAM 5) lists the site as being <b>“restricted and excluded”</b> and states that it is <b>“not available”</b>.</p>	24
H40 and C507	Danilo Road Car Park, Cannock	20	20	<p>The site does not have planning permission or a planning application pending determination. There is no clear evidence of firm progress being made towards the submission of an application.</p> <p>The 2024 SHLAA (EXAM 5) lists the site as being <b>“achievable within 6-15 years”</b>.</p>	20
M2 and C505	Park Road Bus Station, Cannock	15	15	<p>The site does not have planning permission or a planning application pending determination. There is no clear evidence of firm progress being made towards the submission of an application.</p> <p>The 2024 SHLAA (EXAM 5) lists the site as being <b>“achievable within 6-15 years”</b>.</p>	15
H63 and C127	Former Rumer Hill Industrial Estate, Cannock	75	75	<p>The site does not have planning permission or a planning application pending determination. There is no clear evidence of firm progress being made towards the submission of an application.</p> <p>The 2024 SHLAA (EXAM 5) lists the site as being <b>“restricted and excluded”</b>. It states that the site is <b>“not suitable”</b>.</p>	75
H65 and C469	A Dunford and Son, Brindley	15	15	<p>The site does not have planning permission. A full planning application was made in November 2022 but appears to have stalled.</p>	15



Site Ref(s)	Site	Capacity	Council 5YHLS	Comments	Difference
	Heath Road, Cannock			The 2024 SHLAA (EXAM 5) lists the site as being “achievable within 6-15 years”.	
H49 and R18	Land at the Mossley, off Armitage Road	40	40	<p>The site does not have planning permission. Whilst an outline planning application was made in June 2023, this has since been withdrawn and there is no clear evidence of firm progress being made towards the submission of a planning application.</p> <p>The 2024 SHLAA (EXAM 5) lists the site as being “<b>restricted and excluded</b>”. It states that the site is “<b>not suitable</b>”.</p>	40
H50 and R25	Nursery Fields, St Michaels Road, Brereton	35	35	<p>The site does not have planning permission or a planning application pending determination. There is no clear evidence of firm progress being made towards the submission of an application.</p> <p>The 2024 SHLAA (EXAM 5) lists the site as being “<b>restricted and excluded</b>”. It states that the site is “<b>not suitable</b>”.</p>	35
H52 and R22	Gregory Works, Armitage Road, Brereton	23	23	<p>The site does not have planning permission or a planning application pending determination. There is no clear evidence of firm progress being made towards the submission of an application.</p> <p>The 2024 SHLAA (EXAM 5) lists the site as being “achievable within 6-15 years”.</p>	23
H53 and R189	Land off Lichfield Street, Rugeley	20	20	<p>The site does not have planning permission. A planning application for 12 dwellings was validated in June 2023 but this is still pending determination over 2 years later. It does not explain why the Council has included 20 dwellings at the site.</p> <p>The 2024 SHLAA (EXAM 5) lists the site as being “achievable within 6-15 years”.</p>	20



Site Ref(s)	Site	Capacity	Council 5YHLS	Comments	Difference
H69 and N67b	272 Hednesford Road, Norton Canes	11	11	<p>The site does not have planning permission. A planning application for 11 dwellings was validated in June 2022. Whilst a resolution to grant was made at committee in March 2024, this was subject to a S106 agreement for contributions towards education and off-site affordable housing. The S106 agreement has not been signed over 16 months later.</p> <p>The 2024 SHLAA (EXAM 5) lists the site as being “achievable within 6-15 years”.</p>	11
SM1 and R127	Rugeley Power Station, Rugeley	1,000	400	<p>The site has outline planning permission. No applications for reserved matters for residential development have been made. There is no clear evidence of firm progress being made towards the submission of reserved matters and no known developer to confirm the trajectory advanced by the Council, which claims that development will commence in the current year (2025/26). The Council’s trajectory is unrealistic.</p> <p>In the absence of clear evidence, the site is not deliverable. However, if the Inspector disagrees and concludes the site is deliverable, the lead-in time should be extended to allow time for reserved matters applications to be made, considered and approved, pre-commencement conditions to be discharged, infrastructure delivered and a start on site made.</p>	400
	<b>Total</b>				<b>829</b>

1.13 As highlighted in the table above, 199 dwellings on 5 of the 16 sites are listed in the 2024 Strategic Housing Land Availability Assessment (SHLAA - EXAM 5) as being “restricted and excluded”. These are:

- M6 and R143 – Rugeley Market Hall and Bus Station (25 dwellings in the 5YHLS);



- H38 and C86 – Land at Walsall Road, Avon Road, Hunter Road, Hallcourt Lane (24 dwellings in the 5YHLS);
- H63 and C127 – Former Rumer Hill Industrial Estate (75 dwellings in the 5YHLS);
- H49 and R18 – Land at the Mossley, off Armitage Road (40 dwellings in the 5YHLS); and
- H50 and R25 – Nursery Fields, St Michaels Road, Brereton (35 dwellings in the 5YHLS).

1.14 Paragraph 1.7 of the 2024 SHLAA (EXAM 5, PDF page 3) explains that “restricted and excluded” sites are:

“Sites that are not considered to be suitable, available or achievable within 15 years (a site may be one or more of these). These sites will include Green Belt and AONB sites that are not available (not being actively promoted) and/or have significant environmental constraints wholly affecting the site in addition to Greenbelt/AONB constraints, sites which have had planning permission refused or withdrawn and sites that planning permission has been expired for a considerable length of time.”

1.15 It is therefore unclear why on the one hand the Council includes these sites in the 5YHLS and on the other the SHLAA explains the Council does not consider them to be suitable, available or achievable within 15 years. Indeed, the sites are listed in the 2024 SHLAA (EXAM 5) as not being available or suitable and therefore they do not meet the definition of “deliverable” as set out on page 69 of the December 2023 NPPF. Removing these 5 sites alone means the Council cannot demonstrate a 5YHLS at 1<sup>st</sup> April 2025.

1.16 Similarly, the Council includes 400 dwellings in the 5YHLS at the Rugeley Power Station site. The Council’s trajectory (EXAM 38B) assumes the site will deliver dwellings in the current year (i.e. 2025/26) however reserved matters applications for residential development have not even been made. We do not consider that clear evidence has been provided for the inclusion of this site in the 5YHLS. However, if the Inspector disagrees and considers the site is deliverable, the lead-in time should be extended to allow time for reserved matters applications to be prepared, submitted and determined, applications to discharge conditions to deliver dwellings made and approved, infrastructure put in place to deliver the homes and a start on site made. Pushing the lead-in time back would consequently further reduce the 5YHLS position on adoption of the plan.

1.17 As a result of the deductions we make in table 1.4 above, we conclude the deliverable supply at 1<sup>st</sup> April 2025 is 752 dwellings (i.e.  $1,561 - 829 = 752$ ). Against the proposed adopted housing requirement and a 5% buffer, this equates to **2.71 years** as shown in the following table.



Table 1.5 – Cannock Chase’s 5YHLS at 1<sup>st</sup> April 2025

	Requirement	LPA – EXAM 38B	Bloor Homes
A	Annual emerging housing requirement	264	264
B	Five year requirement	1,320	1,320
C	5% buffer	66	66
D	Total five year requirement including 5% buffer	1,386	1,386
E	Annual housing requirement including 5% buffer	277.2	277.2
	<b>Supply</b>		
F	Deliverable supply at 1 <sup>st</sup> April 2025	<b>1,581</b>	<b>752</b>
G	Supply in years (F / E)	<b>5.7</b>	<b>2.71</b>
H	Over / under supply against 5YHLS requirement plus buffer (F – D)	<b>195</b>	<b>-634</b>

## Conclusions

- 1.18 As above, we do not consider the Council cannot demonstrate a deliverable 5YHLS on adoption of the Local Plan. Additional sites should be allocated.
- 1.19 Within this context, we refer to a recent letter by the Local Plan Inspectors appointed to examine the South Worcestershire Local Plan. The letter is dated 23<sup>rd</sup> June 2025 but was published on 7<sup>th</sup> July 2025. It explains that whilst a 5YHLS could not be demonstrate upon adoption of that Local Plan, the Inspectors considered that it was pragmatic to proceed to adopting the Local Plan rather than seek further sites to boost the supply now which would lead to considerable delay. Paragraphs 36 to 38 of the letter state:

“36. Despite the Plan not providing for a 5-year housing land supply on adoption, we consider it pragmatic that it proceeds to adoption on this basis, despite the inconsistency with national policy in this regard. This is because crucially, the Plan will boost significantly the supply of housing as a whole and will meet the identified need across the plan period. It will also deliver new housing, beyond the plan period in particular in respect of the proposed new settlement at Worcestershire Parkway. Moreover, it will provide a contribution to addressing the unmet housing need in Tewkesbury.





37. Given these factors, we will not seek provision of further sites in an attempt to boost supply in the short term, which would in any event demand more housing than is needed for this Plan. In reaching that view we are mindful that the seeking of further sites would cause a considerable delay to the adoption of the Plan (which has already been delayed) and that housing land supply is likely to worsen further as the existing supply is taken up in the intervening time. Also, the Lichfield start to finish report which a number of representors have drawn to our attention, gives us little comfort as to the value of providing more allocations to boost supply for the short term, given the lead in times until delivery.

38. Furthermore, given paragraph 234 of the current NPPF, the Councils will be expected to begin work on a new plan, under the revised plan-making system provided for under the Levelling Up and Regeneration Act 2023 (as soon as the relevant provisions are brought into force), in order to address the anticipated shortfall in housing need against that to be established through the updated standard method.”

1.20 The Inspector may wish to consider a similar approach with Cannock Chase’s Local Plan.



## 2. What constitutes a deliverable site?

- 2.1 As set out in the introduction to this statement, the reason why 16 sites in the Council's 5YHLS are disputed is because the sites are not deliverable. This section sets out what constitutes a deliverable site.

### Previous National Planning Policy (2012) and Guidance (2014)

- 2.2 Footnote 11 of the 2012 Framework stated:

"To be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable. Sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within five years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans."

- 2.3 Paragraph 3-031 of the previous PPG (dated 6<sup>th</sup> March 2014): "What constitutes a 'deliverable site' in the context of housing policy?" stated:

"Deliverable sites for housing could include those that are allocated for housing in the development plan and sites with planning permission (outline or full that have not been implemented) unless there is clear evidence that schemes will not be implemented within 5 years.

However, planning permission or allocation in a development plan is not a prerequisite for a site being deliverable in terms of the 5-year supply. Local planning authorities will need to provide robust, up to date evidence to support the deliverability of sites, ensuring that their judgements on deliverability are clearly and transparently set out. If there are no significant constraints (eg infrastructure) to overcome such as infrastructure sites not allocated within a development plan or without planning permission can be considered capable of being delivered within a 5-year timeframe.

The size of sites will also be an important factor in identifying whether a housing site is deliverable within the first 5 years. Plan makers will need to consider the time it will take to commence development on site and build out rates to ensure a robust 5-year housing supply."

- 2.4 Therefore, under the 2012 Framework, all sites with planning permission, regardless of their size or whether the planning permission was in outline or in full were to be considered deliverable until permission expired unless there was clear evidence that schemes would not be "implemented" within five years. The PPG went further by stating that allocated sites "could" be deliverable and even non-allocated sites without planning permission "can" be considered capable of being delivered.



- 2.5 The Government consulted on a draft revised Framework between March and May 2018. The draft revised Framework provided the following definition of “deliverable” in the glossary:

“To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. Small sites, and sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (e.g. they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans). Sites with outline planning permission, permission in principle, allocated in the development plan or identified on a brownfield register should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.”

- 2.6 Question 43 of the Government’s consultation on the draft revised Framework asked: “do you have any comments on the glossary?”

- 2.7 There were 750 responses to question 43 of the consultation. Some of the points raised included:

**“Local authorities called for the proposed definition of ‘deliverable’ to be reconsidered, as it may result in them being unable to prove a five year land supply and place additional burdens on local authorities to produce evidence.** Private sector organisations were supportive of the proposed definition.” (our emphasis)

- 2.8 The government’s response was as follows:

“The Government has considered whether the definition of ‘deliverable’ should be amended further, but having assessed the responses it has not made additional changes. This is because **the wording proposed in the consultation is considered to set appropriate and realistic expectations for when sites of different types are likely to come forward.**” (our emphasis)

### National Planning Policy and Guidance

- 2.9 The definition of “deliverable” is set out on page 69 of the Framework (December 2023). For the avoidance of doubt, the definition has not substantially changed since 2018<sup>1</sup>. The definition states:

“Deliverable: To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. In particular:

---

<sup>1</sup> The July 2018 version of the Framework included the same wording but did not list the two categories of site as a) and b). The definition in the December 2023 Framework is the same as in the current Framework



a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).

b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.”

2.10 Paragraph 68-007 of the PPG<sup>2</sup> provides some examples of the types of evidence, which could be provided to support the inclusion of sites with outline planning permission for major development and allocated sites without planning permission. It states:

“In order to demonstrate 5 years’ worth of deliverable housing sites, robust, up to date evidence needs to be available to support the preparation of strategic policies and planning decisions. Annex 2 of the National Planning Policy Framework defines a deliverable site. As well as sites which are considered to be deliverable in principle, this definition also sets out the sites which would require further evidence to be considered deliverable, namely those which:

- have outline planning permission for major development;
- are allocated in a development plan;
- have a grant of permission in principle; or
- are identified on a brownfield register.

Such evidence, to demonstrate deliverability, may include:

- current planning status – for example, on larger scale sites with outline or hybrid permission how much progress has been made towards approving reserved matters, or whether these link to a planning performance agreement that sets out the timescale for approval of reserved matters applications and discharge of conditions;
- firm progress being made towards the submission of an application – for example, a written agreement between the local planning authority and the site developer(s) which confirms the developers’ delivery intentions and anticipated start and build-out rates;
- firm progress with site assessment work; or

---

<sup>2</sup> Paragraph 007 Reference ID: 68-007-20190722: “What constitutes a ‘deliverable’ housing site in the context of plan-making and decision-taking?”



- clear relevant information about site viability, ownership constraints or infrastructure provision, such as successful participation in bids for large-scale infrastructure funding or other similar projects.

Plan-makers can use the Housing and Economic Land Availability Assessment in demonstrating the deliverability of sites.”

- 2.11 Whilst the previous definition in the 2012 Framework considered that all sites with planning permission should be considered deliverable, the revised definition in the current Framework is clear that only sites with detailed consent for major development should be considered deliverable and those with outline planning permission should only be considered deliverable where there is clear evidence that housing completions will begin in five years.
- 2.12 As above, the PPG has been updated to provide some examples of the type of evidence which may be provided to be able to consider that sites with outline planning permission for major development, allocated sites and sites identified on a brownfield register are deliverable.
- 2.13 The onus is on the Council to provide clear evidence of deliverability for category b) sites. This was confirmed in a decision dated 28<sup>th</sup> September 2018 soon after the definition of “deliverable” was made relating to an appeal made by Landex Ltd against the decision of Mid Suffolk District Council to refuse to grant outline planning permission for up to 49 dwellings at land on east side of Green Road, Woolpit<sup>3</sup>. Paragraph 65 of the appeal decision states:

“The NPPF 2018 provides specific guidance in relation to the calculation of the five years supply but specifically with regard to qualifying sites, the Glossary definition of ‘Deliverable’ in Annex 2 goes further than its predecessor. Small sites and those with detailed permission should be considered deliverable until permission expires unless there is clear evidence that they will not be delivered. Sites with outline permission, or those sites that have been allocated, should only be considered deliverable where there is clear evidence that housing completions will begin on sites within five years. The onus is on the LPA to provide that clear evidence for outline planning permissions and allocated sites.” (our emphasis added)

- 2.14 Paragraph 68 of the same appeal decision states:

“Sites with outline planning permission make up a very large proportion of the Council’s claimed supply. The onus is on the Council to provide the clear evidence that each of these sites would start to provide housing completions within 5 years. I accept that there was clear evidence of what was necessary on one site provided in Mr Robert’s evidence and so the 200 dwellings in respect of that site should be added to the Appellant’s supply calculations. As for the other 1,244 dwellings with outline permission, the Council has not even come close to discharging the burden to provide

<sup>3</sup> PINS ref: 3194926 – 28<sup>th</sup> September 2018



the clear evidence that is needed for it to be able to rely upon those sites." (our emphasis added)

2.15 We consider the evidence the Council has provided in our assessment of the disputed sites in the following section of this statement. However, we make the following general points with reference to relevant appeal decisions where the definition of "deliverable" and "clear evidence" have been considered.

## Relevant appeal decisions

2.16 There have been several appeal decisions which have considered the definition of "deliverable" since it was first introduced in the 2018 version of the Framework and whether "clear evidence" has been provided for the inclusion of sites which only have outline planning permission for major development or are allocated without planning permission. Whilst each appeal has been determined on a case by case basis on the evidence before the decision-maker, several themes have arisen in appeal decisions, which we discuss below.

### The absence of any written evidence

2.17 Where no evidence has been provided for the inclusion of category b) sites, the Secretary of State and Inspectors have concluded that these sites should be removed. For example:

- In an appeal decision regarding land off Audlem Road, Stapeley, Nantwich and land off Peter De Stapeleigh Way, Nantwich<sup>4</sup>, the Secretary of State removed 301 dwellings from Cheshire East Council's supply from sites including: *"sites with outline planning permission which had no reserved matters applications and no evidence of a written agreement"* (paragraph 21 of the decision letter dated 15<sup>th</sup> July 2020);
- In an appeal decision regarding land to the south of Cox Green Road, Surrey<sup>5</sup> an Inspector removed 563 dwellings on 24 sites from Waverley Council's supply because the Council had not provided any evidence for their inclusion (paragraphs 22 to 24 of the appeal decision dated 16<sup>th</sup> September 2019);
- In an appeal decision regarding land at Station Road, Stalbridge, North Dorset<sup>6</sup> an Inspector removed 2 large sites from North Dorset's supply (references A02 and A04) because the Council had not provided any up to date information from the developers for these sites and applications for reserved matters had not been made (paragraphs 53 and 57); and
- In an appeal decision regarding land within the Westhampnett / North East Strategic Development Location, North of Madgwick Lane, Chichester<sup>7</sup>, an Inspector removed the second

---

<sup>4</sup> PINS refs: 2197532 and 2197529

<sup>5</sup> PINS ref: 3227970

<sup>6</sup> PINS ref: 3284485

<sup>7</sup> PINS ref: 3270721



phase of a wider site that is under construction on the basis that an application for reserved matters had not been made for phase 2 and the fact that a major housebuilder was progressing phase 1 was not in itself clear evidence (paragraph 82).

2.18 In a decision relating to an appeal regarding land at Weddington Road, Weddington, Nuneaton<sup>8</sup>, the Inspector concluded that Nuneaton and Bedworth could not demonstrate a 4 year housing land supply. The Inspector found that the deliverable supply was closer to our figure on behalf of the Appellant of 2.74 years. In doing so, the Inspector removed (amongst other sites):

- A site with outline planning permission at Discovery Academy where there was no clear evidence of firm progress being made towards the submission of a reserved matters. The Inspector stated: “The information from the Council does not explain what the application for reserved matters would look like, when it will be made or when applications to discharge the pre- commencement conditions set out in the outline planning permission are to be made. Further decisions on funding are also required in the Summer. To conclude that even with slippage all 58 units could be delivered by 2028 is not borne out in the evidence before me. It should not be considered deliverable at the base date and 58 dwellings should be removed from the supply” (paragraphs 164 and 165);
- A site with outline planning permission at Hospital Lane where there was no clear evidence of firm progress being made towards site assessment work or the submission of a reserved matters application (paragraphs 172 and 173);
- A site at West of Bulkington which had a resolution to grant full planning permission and the issuing of the planning permission had been “imminent” for some time but the S106 agreement has still not been issued (paragraphs 174 and 174); and
- A site at Phoenix Way / Wilsons Lane which had outline planning permission but “There is no firm progress with the site assessment work to support a reserved matters application, information as to who is going to submit the reserved matters application, what it will be for or when it is going to be determined. None of the timescales have been confirmed in a written agreement with the developer and it is still unknown who the developer will be. There is no clear evidence of deliverability and 73 should be removed from the supply”.

### The most up to date evidence

2.19 In an appeal regarding land on the east side of Green Road, Woolpit<sup>9</sup>, the Inspector found Mid Suffolk Council’s approach in publishing its AMR and then retrospectively seeking evidence to justify its position “wholly inadequate”. Paragraph 70 of the appeal decision states:

“the Council has had to provide additional information to demonstrate that sites are deliverable as and when it has surfaced throughout the weeks and months following

---

<sup>8</sup> PINS ref: 3330615 – 26<sup>th</sup> July 2024

<sup>9</sup> PINS ref: 3194926



the publication of the AMR in an attempt at retrospective justification. It is wholly inadequate to have a land supply based upon assertion and then seek to justify the guesswork after the AMR has been published.”

- 2.20 However, evidence can post date the base date to support the sites in the deliverable supply and not seek to introduce new sites. In an appeal regarding land to the east of Newport Road and to the east and west of Cranfield Road, Woburn Sands (Milton Keynes)<sup>10</sup>, the Secretary of State agreed with Inspector Gilbert-Woolridge that the latest available evidence should be used when considering deliverability. Paragraph 12 of the Secretary of State’s decision letter dated 25<sup>th</sup> June 2020 states:

“For the reasons given at IR12.8-12.12 the Secretary of State agrees with the Inspector that it is acceptable that the evidence can post-date the base date provided that it is used to support sites identified as deliverable as of 1 April 2019 (IR12.11)”.

- 2.21 Similarly, in a decision regarding land off Darnhall School Lane, Winsford<sup>11</sup>, the Secretary of State agreed with Inspector Middleton that it is appropriate to take into account information received after the base date if it affects sites included in the deliverable supply<sup>12</sup>.

- 2.22 This means that where sites have not progressed as the Council’s trajectory claimed at the time the position statement was published, the supply should be reduced. In the Audlem Road appeal<sup>13</sup>, the Secretary of State removed from Cheshire East Council’s supply;

“a site where there is no application and the written agreement indicates an application submission date of August 2019 which has not been forthcoming, with no other evidence of progress”. (paragraph 21 of the Decision Letter dated 15<sup>th</sup> July 2020)

- 2.23 Cheshire East Council’s Housing Monitoring Update (HMU) had a base date of 31<sup>st</sup> March 2019 and was published in November 2019. Representations by both parties on the HMU were received with the final comments received on 12<sup>th</sup> February 2020 (DL paragraph 7). Therefore, whilst the written evidence for this site explained a planning application would be made on this site in August 2019 because the application was not forthcoming by the time the decision was made and no other evidence of progress had been provided, the Secretary of State removed the site from the supply.

### The form and value of the evidence

- 2.24 In the Woburn Sands appeal decision referred to above, the Secretary of State agreed with the Inspector that a proforma can, in principle, provide clear evidence of a site’s deliverability (please see paragraph 12

---

<sup>10</sup> PINS ref: 3169314

<sup>11</sup> PINS ref: 2212671

<sup>12</sup> Paragraph 344 of the Inspector’s Report and paragraph 15 of the Decision Letter.

<sup>13</sup> PINS refs: 2197532 and 2197529





of the decision letter and paragraphs 12.13 to 12.15 of the Inspector's Report). However, the evidential value of the written information is dependent on its content. The Secretary of State and Inspectors have concluded that it is simply not sufficient for Councils to provide agreement from landowners and promoters that their intention is to bring sites forward. The evidence needs to provide a realistic prospect that housing will be delivered on the site within five years.

- 2.25 For example, in allowing an appeal for 120 dwellings at land east of Gleneagles Way, Hatfield Peverel<sup>14</sup>, the Secretary of State found Braintree Council could not demonstrate a five year housing land supply.
- 2.26 Braintree Council claimed that it could demonstrate a 5.29 year supply. In determining the appeal, the Secretary of State concluded that the Council could only demonstrate a 4.15 year supply. The reason for this is set out in paragraph 41 of the decision letter (page 7), which states:

“Having reviewed the housing trajectory published on 11 April, the Secretary of State considers that the evidence provided to support some of the claimed supply in respect of sites with outline planning permission of 10 dwellings or more, and sites without planning permission do not meet the requirement in the Framework Glossary definition of “deliverable” that there be clear evidence that housing completions will begin on site within five years. He has therefore removed ten sites from the housing trajectory”

- 2.27 The ten removed sites are listed in a table provided at Annex D on page 24 of the Secretary of State's decision letter. Of the ten sites removed from Braintree's supply, 9 had outline planning permission and the remaining site was an allocated site with a hybrid planning application pending determination. For these sites, Braintree Council had submitted completed forms and emails from landowners, developers and their agents providing the timescales for the submission of reserved matters applications and anticipated build rates. However, the Secretary of State removed these sites because he did not consider they met the definition of “deliverable” as set out in the Framework.
- 2.28 As part of its case in seeking to defend an appeal against its decision to refuse to grant outline planning permission for up to 140 no. dwellings at land off Popes Lane, Sturry<sup>15</sup>, Canterbury City Council claimed that it could demonstrate a 6.72 year supply. For there to be a shortfall in the supply, Canterbury Council claimed that some 1,654 dwellings (out of 6,455 dwellings) would have to be removed from the “deliverable” supply.
- 2.29 The Inspector, however, found that the Council could not demonstrate a five year housing land supply. The Inspector concluded that the deliverable supply was 4,644 dwellings, which equates to 4.8 years. The

---

<sup>14</sup> PINS ref: 3180729

<sup>15</sup> PINS ref: 3216104



reason why the Inspector concluded that the deliverable supply was 1,811 dwellings (28%) less than the Council claimed was because he found that 10 sites should be removed from the supply because:

*“there is insufficient clear evidence to show that they meet the NPPF’s definition of deliverable. Sites which are not deliverable cannot be counted as part of the supply for the purposes of meeting the 5-year requirement.” (paragraph 23)*

- 2.30 In this case, Canterbury Council had provided statements of common ground between the Council and the developer or landowner to support the inclusion of several of the disputed sites. However, the Inspector found that the statements of common ground did not demonstrate that the development prospect was realistic. Paragraph 23 of the appeal decision states:

*“For a number of the disputed sites, the Council’s evidence is founded on site-specific SCGs which have been agreed with the developer or landowner of the site in question. I appreciate that the PPG refers to SCGs as an admissible type of evidence, and I have had full regard to that advice. But nevertheless, the evidential value of any particular SCG in this context is dependent on its content. In a number of cases, the SCGs produced by the Council primarily record the developer’s or landowner’s stated intentions. Without any further detail, as to the means by which infrastructure requirements or other likely obstacles are to be overcome, and the timescales involved, this type of SCG does not seem to me to demonstrate that the development prospect is realistic. In addition, most of the site-specific SCGs are undated, thus leaving some uncertainty as to whether they represent the most up-to-date position.”*

- 2.31 Similarly, as part of its case in seeking to defend an appeal made by Parkes Ltd against its decision to refuse to grant outline planning permission for up to 53 dwellings at land to the south of Cox Green Road, Rudgwick<sup>16</sup>, Waverley Council claimed it could demonstrate a supply of 5,708 dwellings, which equated to just under 5.2 years against its housing requirement and buffer.
- 2.32 The Inspector concluded that the supply should be reduced by 928 dwellings and therefore that Waverley Council could only demonstrate a “deliverable” supply of 4.3 years. The reasons why the Inspector considered the supply should be reduced are set out in paragraphs 10 to 27 of the appeal decision. We note that whilst Waverley Council’s assumptions of delivery on a site at Dunsfold Park relied on estimated numbers of delivery from a pro-forma returned by the site’s lead developer, the Inspector however considered that the details contained within it were “scant”. There was no explanation as to how the timings of delivery could be achieved including the intended timescales for submitting and approving reserved matters, applications of discharge of conditions, site preparation and installing infrastructure. The Inspector therefore did not include the site.

---

<sup>16</sup> PINS ref: 3227970



- 2.33 We now refer to two appeal decisions in Oxfordshire and one in Central Bedfordshire where the definition of “deliverable” and “clear evidence” were considered.

#### Little Sparrows, Sonning Common (South Oxfordshire) Appeal Decision

- 2.34 At the time the South Oxfordshire Local Plan was examined, the Council’s 5YHLS position at 1<sup>st</sup> April 2020 was that it could demonstrate a 5.35 year supply. These claims were tested soon after the Local Plan was examined at an inquiry in relation to an appeal regarding Little Sparrows, Sonning Common<sup>17</sup>. In that case, the Inspector concluded that the Council could only demonstrate a 4.21 year supply.
- 2.35 Paragraph 18 of the appeal decision explains that at the inquiry, the Council’s case had fallen to 5.08 years. The Council’s case at that time was that it could demonstrate a deliverable 5YHLS of 5,785 dwellings and the Appellant’s case was that it could demonstrate a deliverable 5YHLS of 4,789 dwellings. The difference between the two positions was 996 dwellings on 15 sites as set out in table 3 of the SoCG for that case as referred to in paragraph 19 of the appeal decision.
- 2.36 Paragraphs 20 and 21 of the appeal decision then state:

“20. I have also had regard to the PPG advice published on 22 July 2019 on ‘Housing supply and delivery’ including the section that provides guidance on ‘What constitutes a ‘deliverable’ housing site in the context of plan-making and decision-taking.’ The PPG is clear on what is required:

“In order to demonstrate 5 years’ worth of deliverable housing sites, robust, up to date evidence needs to be available to support the preparation of strategic policies and planning decisions.”

This advice indicates to me the expectation that ‘clear evidence’ must be something cogent, as opposed to simply mere assertions. There must be strong evidence that a given site will in reality deliver housing in the timescale and in the numbers contended by the party concerned.

21. Clear evidence requires more than just being informed by landowners, agents or developers that sites will come forward, rather, that a realistic assessment of the factors concerning the delivery has been considered. This means not only are there planning matters that need to be considered but also the technical, legal and commercial/financial aspects of delivery assessed. Securing an email or completed pro-forma from a developer or agent does not in itself constitute ‘clear evidence’. Developers are financially incentivised to reduce competition (supply) and this can be achieved by optimistically forecasting delivery of housing from their own site and consequentially remove the need for other sites to come forward. (emphasis added)

---

<sup>17</sup> PINS ref: 3265861 – 25<sup>th</sup> June 2021



2.37 This is relevant because in that case the Council had submitted emails from those promoting sites. However, the Inspector in that case found that such emails were not clear evidence as set out in the paragraphs above.

2.38 Paragraph 22 of the appeal decision then stated:

“It is not necessary for me to go through all of the disputed sites in Table 3 of SoCG 5. **In my view, the Council was not able to provide clear evidence of delivery on most of the disputed sites which significantly undermines its position.** For example, the Council suggests that 100 dwellings would be delivered at Site 1561: Land to the south of Newham Manor, Crowmarsh Gifford whereas the Appellant says 100 dwellings should be deducted. The comments set out by the Appellant for this site in Table 3 are compelling. Similarly, at Site 1009: Land to the north east of Didcot, the Council suggests 152 dwellings would be delivered whereas the Appellant says 152 dwellings should be deducted. The Appellant provides cogent evidence to support its case. Furthermore, at Site 1418: Land at Wheatley Campus, the Council agrees a deduction but only of 62 dwellings whereas the Appellant says the deduction should be 230. **There is no clear evidence before me that would suggest that these sites or indeed most of the disputed sites would deliver the completions suggested by the Council in the next five years**” (our emphasis added)

2.39 Paragraph 23 of the appeal decision states:

“Overall, I consider that the Appellant’s assessment of supply set out in Table 2 of SoCG 5 is more realistic taking into account the test of deliverability set out in Appendix 2 to the NPPF and the PPG advice published on 22 July 2019. I am satisfied that the Appellant’s approach is consistent with national policy, case law, appeal decisions and informed by current housebuilder sales rates, assessment of the technical complexities of delivering development sites and experience of the housebuilding industry including lead-in times”

2.40 Finally, paragraph 25 of the appeal decision states:

“I consider that the Council’s supply figure should be reduced to reflect the Appellant’s position set out in Table 2 of SoCG 5. The Council’s supply figure of 5,785 dwellings in Table 2 should be reduced to give a more robust total supply figure of 4,789 dwellings for the five year period. Although the Council maintains there is a 5.08 year supply, the evidence that is before me indicates a housing land supply equivalent to 4.21 years. The implications of not having a five-year housing land supply are significant. Not only is there a shortfall, but it also means most important policies for determining the application are automatically out-of-date. The Council accepts that means all the policies in the SOLP and the SCNP are out-of-date. It also means if the paragraph 172 tests in the NPPF are satisfied then the tilted balance applies.”



### Land west of Wroslyn Road, Freeland (West Oxfordshire) appeal decision<sup>18</sup>

- 2.41 In this case, West Oxfordshire accepted that it could not demonstrate a deliverable 5YHLS. However, the extent of the shortfall was not agreed. Our evidence on behalf of the Appellant in that case was that 1,691 dwellings should be removed from West Oxfordshire's 5YHLS. The Inspector found that the figure the 5YHLS was closer to our position of 2.5 years rather than the Council's figure of 4.1 years (paragraph 59).
- 2.42 Paragraphs 50 to 57 of the appeal decision set out the Inspector's findings on the disputed sites in that case. For the disputed sites, West Oxfordshire had provided emails and proformas to support the inclusion of the sites. However, the Inspector concluded that this was not "clear evidence" and removed the sites from the deliverable supply.

### Land to the east of Langford Road, Biggleswade and north of Queens Way, and Denny Crescent, Langford, Central Bedfordshire<sup>19</sup>

- 2.43 In this decision, the Inspector removed 416 dwellings from Central Bedfordshire's 5YHLS from a site at land north of Houghton Regis which had outline planning permission and phases under construction but no known housebuilder for phases 3b and 4 or timescales for the submission of outstanding reserved matters. For this site, Central Bedfordshire had provided a delivery programme from the promoter of the site.

- 2.44 Paragraph 16 of the appeal decision states:

"Land north of Houghton Regis (Site 1) (Ref: HT057) forms part of a large strategic development plan site allocation with outline planning permission. It comprises several phases. A master plan has been approved and a design code has been submitted for Phase 4. Phases 3b and 4 are being marketed as there is no known housebuilder. The timing for the submission of the outstanding reserved matters is unknown. In combination, the evidence provided is not clear that the 416 homes relating to Phase 3b and 4 are deliverable within the relevant 5 year period."

### The fact that an application has been submitted may not mean there is clear evidence of deliverability

- 2.45 In a decision dated 25<sup>th</sup> August 2022 regarding an appeal made by Salter Property Investments Ltd against the decision of Exeter City Council to refuse to grant outline planning permission for up to 93 dwellings at land off Spruce Close, Exeter<sup>20</sup>, the Inspector found:

---

<sup>18</sup> PINS ref: 3301202 – 18<sup>th</sup> January 2023

<sup>19</sup> PINS ref: 3341832 – 11<sup>th</sup> November 2024

<sup>20</sup> PINS ref: 3292721



- The pro-formas used by Exeter were undated, unsigned and deficient (paragraph 39);
- That 2 sites with outline planning permission and no reserved matters applications pending, and no clear evidence for their inclusion should be removed (paragraphs 40 and 41); and
- That even where reserved matters applications had been made, where those applications are subject to outstanding objections and there is no written agreement with the developer, the sites should not be included because no clear evidence had been provided (paragraphs 42 and 43).

2.46 In the Freeland appeal decision referred to above<sup>21</sup>, the Inspector removed sites from the Council's supply despite the fact that planning applications had been made. Paragraph 56 states:

"Applications were submitted in January 2021 for sites EW4 and EW5. The same email referred to above refers to consent being granted at the October planning committee, which, when HLS discussions were had at the Inquiry at the end of November, had not happened. I understand that officer illness has caused delays in progressing the applications to committee. However, without an officer report, a recommendation, or even a confirmed committee date, there is currently no clear evidence to indicate that the dwellings at sites EW4 and EW5 included in the Council's PS should be considered deliverable in 5 years. The 156 and 120 dwellings should not, as yet, be included in HLS figures"

2.47 In a decision dated 10<sup>th</sup> April 2024 relating to an appeal against the decision of East Hampshire Council to refuse to grant outline planning permission for up to 60 dwellings at 46 Lymington Bottom, Four Marks<sup>22</sup>, the Inspector removed a site from the deliverable supply because whilst a reserved matters application had been made, clear evidence had not been demonstrated. Paragraph 54 of the appeal decision states:

"Land east of Horndean has only outline planning permission. The Appellant advised that the Council's Environmental Health Officers are concerned about ventilation, their Policy team have concerns about the design of the scheme and the Highway Authority have objected as well as the Parish Council. A reserved matters scheme has been submitted but is undetermined. Therefore, the submitted evidence does not clearly show this is deliverable in the time period and 200 dwellings should be deleted from the supply."

2.48 In the Central Bedfordshire case referred to above<sup>23</sup>, the Inspector removed:

- An allocated site without planning permission where an outline planning application remained undetermined for a significantly protracted period (paragraph 15); and

---

<sup>21</sup> PINS ref: 3301202

<sup>22</sup> PINS ref: 3329928

<sup>23</sup> PINS ref: 3341832



- A site with outline planning permission where a reserved matters application had been pending determination for 2 years and was subject to unresolved technical objections (paragraph 17).

2.49 In summary, the above appeal decisions found that sites with outline planning permission for major development and allocated sites without planning permission should not be included in the deliverable supply where the respective Councils had failed to provide the clear evidence required. In some cases those Councils had provided proformas and other evidence from those promoting sites, and Inspectors and the Secretary of State found this not to be clear evidence.

2.50 We now set out our assessment of the Council's 5YHLS trajectory (EXAM 38B) with regard to the definition of deliverable and the requirement to provide clear evidence as discussed in the cases above.



### 3. Disputed sites in EXAM 38B

#### H16 and C113g – Land west of Pye Green Road, Hednesford Cannock

Capacity = 51 dwellings, Council's 5YHLS = 51 dwellings

- 3.1 The site has outline planning permission for up to 51 dwellings (LPA ref: CH/19/422). A reserved matters application has been made and is pending determination. However, this is for 47 dwellings (LPA ref: CH/25/0124). The Council has not provided clear evidence for the inclusion of an additional **4 dwellings** and these should be removed from the 5YHLS.

#### M6 and R143 – Rugeley Market Hall and Bus Station, Rugeley

Capacity = 50 dwellings, Council's 5YHLS = 25 dwellings

- 3.2 The Council's trajectory for this site (EXAM 38B – page 1) is as follows:

**Table 3.1 – Council's 5YHLS trajectory for Rugeley Market Hall and Bus Station**

2025-26	2026-27	2027-28	2028-29	2029-30	Total 5YHLS
0	0	0	0	25	25

- 3.3 Beyond the 5YHLS period, the trajectory includes 25 dwellings in 2030/31.

#### **Current planning status**

- 3.4 The site does not have planning permission or an application pending determination.

#### **Firm progress being made towards the submission of an application**

- 3.5 The Council has not provided clear evidence of firm progress being made towards the submission of a planning application. The 2024 SHLAA (EXAM 5 – PDF page 76) lists the site as being “restricted and excluded”. The 2024 SHLAA states that the site is not available.

#### **Written agreement between the local planning authority and the site developer(s) which confirms the developers' delivery intentions and anticipated start and build-out rates**

- 3.6 There is no written agreement between the LPA and a developer to support the trajectory for the site. The developer is not known. The 2024 SHLAA states:





“Opportunity Site within Rugeley Town Centre Area Action Plan. Mainly proposed for redevelopment for retail and transport uses, but with potential for residential at upper levels. Site also requires flood alleviation measures prior to any redevelopment. The site has been allocated for mixed use development within the Local Plan Review Reg 19.”

- 3.7 Therefore, the residential element is not currently known.

#### **Firm progress with site assessment work**

- 3.8 No clear evidence of firm progress with site assessment work has been provided. The 2024 SHLAA identifies the following potential constraints:

“Alternative uses. Within Flood Zone 2. Historic Landfill. Adjacent/within Conservation Area”

**Clear relevant information about site viability, ownership constraints or infrastructure provision, such as successful participation in bids for large-scale infrastructure funding or other similar projects**

- 3.9 No evidence has been provided.

#### **Summary**

- 3.10 In summary, the Council has not provided “clear evidence that housing completions will begin on site within five years”. There is no clear evidence of firm progress being made towards the submission of an application and the 2024 SHLAA (EXAM 5) states the site is not available and has listed it as being “restricted and excluded”. The site is not deliverable and should not be included in the 5YHLS.



## H29 and C488 – Land at 521 Pye Green Road, Hednesford, Cannock

Capacity = 80 dwellings, Council's 5YHLS = 38 dwellings

3.11 The Council's trajectory for this site (EXAM 38B) is as follows:

**Table 3.2 – Council's 5YHLS trajectory for land at 521 Pye Green Road, Hednesford**

2025-26	2026-27	2027-28	2028-29	2029-30	Total 5YHLS
0	0	0	0	38	38

3.12 Beyond the 5YHLS period, the trajectory includes 42 dwellings in 2030/31.

### **Current planning status**

3.13 The site does not have planning permission or an application pending determination.

### **Firm progress being made towards the submission of an application**

3.14 The Council has not provided clear evidence of firm progress being made towards the submission of a planning application. The 2024 SHLAA (EXAM 5 – PDF page 60) states that development at the site is "achievable within 6-15 years".

### **Written agreement between the local planning authority and the site developer(s) which confirms the developers' delivery intentions and anticipated start and build-out rates**

3.15 There is no written agreement between the LPA and a developer to support the trajectory for the site. The developer is not known. The 2024 SHLAA states:

"Sole landowner promoting site for mixed use redevelopment, including residential, employment services and community facilities. Suggests residential development could consist of 50 unit care facility, 50 apartments providing supported living and 49 dwellings total of approx. 149 dwellings (NB. may be less if care facility is C2 use class). Site sits within larger housing development site C113 that includes infrastructure provision including highways improvements and new primary school. Currently occupied by mixed uses including residential, horticultural, caravan storage and community uses (church) some of which may require relocation. Site area 3.16ha. Net developable area is 2.59ha. Area suggested for housing is 2.02ha. Estimated capacity has been reduced to reflect relatively high density levels being assumed situated within a largely medium density scale development area. The site has been allocated for residential land within the Local Plan Review Reg 19"



3.16 Therefore, the residential element is not known.

**Firm progress with site assessment work**

3.17 No clear evidence of firm progress with site assessment work has been provided.

**Clear relevant information about site viability, ownership constraints or infrastructure provision, such as successful participation in bids for large-scale infrastructure funding or other similar projects**

3.18 No evidence has been provided.

**Summary**

3.19 In summary, the Council has not provided “clear evidence that housing completions will begin on site within five years”. There is no clear evidence of firm progress being made towards the submission of an application and the 2024 SHLAA considers the site is achievable in years 6-15. The site is not deliverable and should not be included in the 5YHLS.



## M1 and C505 – Multi Storey Car Park, Market Hall and Retail Units, Church Street, Cannock

Capacity = 70 dwellings, Council's 5YHLS = 60 dwellings

3.20 The Council's trajectory for this site (EXAM 38B) is as follows:

**Table 3.3 – Council's 5YHLS trajectory for Multi-Storey Car Park, Market Hall and Retail Units**

2025-26	2026-27	2027-28	2028-29	2029-30	Total 5YHLS
0	0	20	20	20	60

3.21 Beyond the 5YHLS period, the trajectory includes 10 dwellings in 2030/31.

### Current planning status

3.22 On 4<sup>th</sup> July 2024, outline planning permission was granted under reference CH/23/0131 for:

“Outline planning permission with all matters reserved for regeneration of town centre including mixed use leisure and cultural hub, refurbishment of Prince of Wales Theatre, upto 750sqm of new cafe/bar/restaurant premises within the theatre, new cafe building (upto 325sqm), managed workspace (upto 1300sqm), replacement retail unit (upto 1858sqm), new office accommodation (upto 3170sqm), extra care / retirement accommodation (upto 70 dwellings), bicycle hub and associated public realm improvements”

3.23 A reserved matters application has not been made.

3.24 Whilst an application was made to discharge conditions 5, 6, 7, 8, 12, 14, 16, 17, 18 and 19 pursuant to application CH/23/0131 in September 2024, this was **withdrawn** on 17<sup>th</sup> February 2025 (LPA ref: CH/23/0131/A).

3.25 No further applications have been made.

3.26 The redevelopment of the site requires the demolition of a multi-storey car park. The demolition commenced in June 2025 and are expected to run until the end of the year.

### Firm progress being made towards the submission of an application

3.27 The Council has not provided clear evidence of firm progress being made towards the submission of a reserved matters application or the re-submission of an application to discharge the conditions.



**Written agreement between the local planning authority and the site developer(s) which confirms the developers' delivery intentions and anticipated start and build-out rates**

- 3.28 There is no written agreement between the LPA and a developer to support the trajectory for the site. The developer is not known.
- 3.29 Given the outline planning permission is for mixed use, it is unclear when the extra care / retirement housing phase will deliver, who it will be by or what type of use it will be.
- 3.30 The 2024 SHLAA states that the site is "achievable within 6-15 years".

**Firm progress with site assessment work**

- 3.31 No clear evidence of firm progress with site assessment work has been provided. As above, whilst an application to discharge the conditions on the outline planning application was made, it has since been withdrawn.

**Clear relevant information about site viability, ownership constraints or infrastructure provision, such as successful participation in bids for large-scale infrastructure funding or other similar projects**

- 3.32 No evidence has been provided.

**Summary**

- 3.33 In summary, the Council has not provided "clear evidence that housing completions will begin on site within five years". There is no clear evidence of firm progress being made towards the submission of a reserved matters application and the 2024 SHLAA considers the site is achievable in years 6-15. The site is not deliverable and should not be included in the 5YHLS.



## H35 and C177 – Land at Girton Road / Spring Street, Cannock

Capacity = 24 dwellings, Council's 5YHLS = 24 dwellings

3.34 The Council's trajectory for this site (EXAM 38B) is as follows:

**Table 3.4 – Council's 5YHLS trajectory for land at Girton Road / Spring Street**

2025-26	2026-27	2027-28	2028-29	2029-30	Total 5YHLS
0	0	0	24	0	24

### Current planning status

3.35 The site does not have planning permission. A planning application for 2 buildings to accommodate 24 no. apartments was validated on 21<sup>st</sup> December 2021 (LPA ref: CH/21/0476). The application is pending determination over 3.5 years later. A resolution to grant permission was made in January 2023 subject to a S106 agreement but this has not been agreed or signed since.

**Written agreement between the local planning authority and the site developer(s) which confirms the developers' delivery intentions and anticipated start and build-out rates**

3.36 There is no written agreement between the LPA and a developer to support the trajectory for the site. The 2024 SHLAA explains that the site is "achievable within 6-15 years"

### Summary

3.37 In summary, the Council has not provided "clear evidence that housing completions will begin on site within five years." Indeed, the 2024 SHLAA considers the site is achievable within 6-15 years. Whilst a full planning application is pending determination, this was made over 3.5 years ago and a resolution to grant made 2.5 years ago but the S106 agreement has not been signed since. The site is not deliverable and should not be included in the 5YHLS.



## H38 and C86 – Land at Walsall Road, Avon Road, Hunter Road, Hallcourt Lane, Cannock

Capacity = 24 dwellings, Council's 5YHLS = 24 dwellings

3.38 The Council's trajectory for this site (EXAM 38B) is as follows:

**Table 3.5 – Council's 5YHLS trajectory for land at Walsall Road**

2025-26	2026-27	2027-28	2028-29	2029-30	Total 5YHLS
0	0	0	0	24	24

### Current planning status

3.39 The site does not have planning permission or a planning application pending determination. The 2024 SHLAA (EXAM 5 – PDF page 70) provides the planning history of the site as follows:

“CH/04/0566 was outline planning permission for a mixed use development including residential. A revised planning application (CH/09/0094) was approved in November 2009 for amendments to the original permission, which included residential development (24 dwellings). However, a subsequent amendment to the scheme did not propose any residential element on site. Site Area reduced in consideration of application site C511 proposed in Town Centre Prospectus covering proportion of site”

### Firm progress being made towards the submission of an application

3.40 The Council has not provided clear evidence of firm progress being made towards the submission of an application.

### Written agreement between the local planning authority and the site developer(s) which confirms the developers' delivery intentions and anticipated start and build-out rates

3.41 There is no written agreement between the LPA and a developer to support the trajectory for the site. The developer is not known.

3.42 The 2024 SHLAA (EXAM 5 – PDF page 70) states that residential use is not being proactively considered by the landowners at present. It lists the site as being “restricted and excluded” as described above and states that the site is not available.



### **Firm progress with site assessment work**

- 3.43 No clear evidence of firm progress with site assessment work has been provided. The 2024 SHLAA refers to the following potential constraints:

“Previous developer entered into administration and site now in multiple ownership. Previous schemes currently unviable and residential use is not being proactively considered by new landowners at present.”

**Clear relevant information about site viability, ownership constraints or infrastructure provision, such as successful participation in bids for large-scale infrastructure funding or other similar projects**

- 3.44 No evidence has been provided.

### **Summary**

- 3.45 In summary, the Council has not provided “clear evidence that housing completions will begin on site within five years”. There is no clear evidence of firm progress being made towards the submission of an application. The 2024 SHLAA explains that the site is not available. The site is not deliverable and should not be included in the 5YHLS.





## H40 and C507 – Danilo Road Car Park, Cannock

Capacity = 20 dwellings, Council's 5YHLS = 20 dwellings

3.46 The Council's trajectory for this site (EXAM 38B) is as follows:

**Table 3.6 – Council's 5YHLS trajectory for Danilo Road Car Park**

2025-26	2026-27	2027-28	2028-29	2029-30	Total 5YHLS
0	0	0	0	20	20

### Current planning status

3.47 The site does not have planning permission or a planning application pending determination.

### Firm progress being made towards the submission of an application

3.48 The Council has not provided clear evidence of firm progress being made towards the submission of an application. Indeed, the 2024 SHLAA states that the redevelopment will be pursued in the medium term. It states that the site is "achievable within 6-15 years" and states:

"Identified in the Cannock Development Prospectus as a site for redevelopment as part of Town Centre redevelopment, but to be pursued in medium term. Potential for circa 20-30 residential homes. The site has been allocated for residential land within the Local Plan Review Reg 19."

### Written agreement between the local planning authority and the site developer(s) which confirms the developers' delivery intentions and anticipated start and build-out rates

3.49 There is no written agreement between the LPA and a developer to support the trajectory for the site. The developer is not known,

### Firm progress with site assessment work

3.50 No clear evidence of firm progress with site assessment work has been provided. The 2024 SHLAA refers to the following potential constraints:

"Close Proximity to Conservation Area"

### Clear relevant information about site viability, ownership constraints or infrastructure provision, such as successful participation in bids for large-scale infrastructure funding or other similar projects

3.51 No evidence has been provided.



## Summary

- 3.52 In summary, the Council has not provided “clear evidence that housing completions will begin on site within five years”. There is no clear evidence of firm progress being made towards the submission of an application. The site is not deliverable and should not be included in the 5YHLS.



## M2 and C505 – Park Road Bus Station, Cannock

Capacity = 15 dwellings, Council's 5YHLS = 15 dwellings

3.53 The Council's trajectory for this site (EXAM 38B) is as follows:

**Table 3.7 – Council's 5YHLS trajectory for Park Road Bus Station**

2025-26	2026-27	2027-28	2028-29	2029-30	Total 5YHLS
0	0	0	0	15	15

### Current planning status

3.54 The site does not have planning permission or a planning application pending determination.

### Firm progress being made towards the submission of an application

3.55 The Council has not provided clear evidence of firm progress being made towards the submission of an application. Indeed, the 2024 SHLAA (EXAM 5 – PDF page 53) states that the redevelopment will be pursued in the medium term. It states:

“Identified in the Cannock Development Prospectus as a site for redevelopment as part of Town Centre redevelopment, but to be pursued in medium term. Potential for circa 15-20 residential homes or 50+bedroom hotel. The site has been allocated for mixed use development within the Local Plan Review Reg 19”

### Written agreement between the local planning authority and the site developer(s) which confirms the developers' delivery intentions and anticipated start and build-out rates

3.56 There is no written agreement between the LPA and a developer to support the trajectory for the site. The developer is not known.

### Firm progress with site assessment work

3.57 No clear evidence of firm progress with site assessment work has been provided. The 2024 SHLAA refers to the following potential constraints:

“Abutting Conservation Area. Close proximity to Listed Building.”

### Clear relevant information about site viability, ownership constraints or infrastructure provision, such as successful participation in bids for large-scale infrastructure funding or other similar projects

3.58 No evidence has been provided.



## Summary

- 3.59 In summary, the Council has not provided “clear evidence that housing completions will begin on site within five years”. There is no clear evidence of firm progress being made towards the submission of an application. The site is not deliverable and should not be included in the 5YHLS.



## H63 and C127 – Former Rumer Hill Industrial Estate, Cannock

Capacity = 99 dwellings, Council's 5YHLS = 75 dwellings

3.60 The Council's trajectory for this site (EXAM 38B) is as follows:

**Table 3.8 – Council's 5YHLS trajectory for former Rumer Hill Industrial Estate**

2025-26	2026-27	2027-28	2028-29	2029-30	Total 5YHLS
0	0	0	25	50	75

3.61 Beyond the 5YHLS period, the Council's trajectory (EXAM 38B) includes 24 dwellings in 2030/31.

### Current planning status

3.62 The site does not have planning permission or a planning application pending determination. The 2024 SHLAA (EXAM 5 – PDF page 70) provides the planning history as follows:

“CH/10/0364 is resolution to grant outline planning permission (subject to S106) for residential development (75 dwellings), resolved in April 2011. Developer has since submitted amended scheme for 83 dwellings, undetermined/file closed May 2016. Site now sold to non-housing developer party (owner of adjacent Pentalver storage container depot). Developer has submitted representations for 99 dwellings including amendment to boundary providing reduction in site area. The site has been allocated for residential land within the Local Plan Review Reg 19.”

### Firm progress being made towards the submission of an application

3.63 The Council has not provided clear evidence of firm progress being made towards the submission of an application. The 2024 SHLAA (EXAM 5 – PDF page 70) lists the site as being “restricted and excluded”. It states that the site is “not suitable”.

### Written agreement between the local planning authority and the site developer(s) which confirms the developers' delivery intentions and anticipated start and build-out rates

3.64 There is no written agreement between the LPA and a developer to support the trajectory for the site.

### Firm progress with site assessment work

3.65 No clear evidence of firm progress with site assessment work has been provided. The 2024 SHLAA refers to the following potential constraints:



“Remediation work. Neighbouring industrial uses and proposed rail-freight interchange. Coal Authority High Risk Development Area. TPOs. Landowner intentions”

**Clear relevant information about site viability, ownership constraints or infrastructure provision, such as successful participation in bids for large-scale infrastructure funding or other similar projects**

3.66 No evidence has been provided.

#### **Summary**

- 3.67 In summary, the Council has not provided “clear evidence that housing completions will begin on site within five years”. There is no clear evidence of firm progress being made towards the submission of an application. The landowner’s intentions are listed as a potential constraint.
- 3.68 The 2024 SHLAA (EXAM 5) lists the site as being “restricted and excluded”. It states that the site is “not suitable”.
- 3.69 The site is not deliverable and should not be included in the 5YHLS.



## H65 and C469 – A Dunford and Son, Brindley Heath Road, Cannock

Capacity = 15 dwellings, Council's 5YHLS = 15 dwellings

3.70 The Council's trajectory for this site (EXAM 38B) is as follows:

**Table 3.9 – Council's 5YHLS trajectory for A Dunford and Son**

2025-26	2026-27	2027-28	2028-29	2029-30	Total 5YHLS
0	0	15	0	0	15

### Current planning status

3.71 The site does not have planning permission. The site had outline planning permission, which was approved in July 2019 but has since expired. A full planning application for 15 dwellings was validated on 8<sup>th</sup> November 2022 (LPA ref: CH/22/0419) and is still pending determination 2.5 years later. With the exception of an objection letter from a local resident (dated May 2025), the last documents uploaded to the Council's portal were in 2023. The application appears to have stalled.

### Written agreement between the local planning authority and the site developer(s) which confirms the developers' delivery intentions and anticipated start and build-out rates

3.72 There is no written agreement between the LPA and a developer to support the trajectory for the site. The 2024 SHLAA (EXAM 5 – PDF page 53) explains that the site is "achievable within 6-15 years"

### Firm progress with site assessment work

3.73 No clear evidence of firm progress with site assessment work has been provided. The 2024 SHLAA refers to potential contaminated land.

### Summary

3.74 In summary, the Council has not provided "clear evidence that housing completions will begin on site within five years." Indeed, the 2024 SHLAA considers the site is achievable within 6-15 years. Whilst a full planning application is pending determination, this was made over 2.5 years ago and appears to have stalled. The site is not deliverable and should not be included in the 5YHLS.



## H49 and R18 – Land at the Mossley, off Armitage Road

Capacity = 40 dwellings, Council's 5YHLS = 40 dwellings

3.75 The Council's trajectory for this site (EXAM 38B) is as follows:

**Table 3.10 – Council's 5YHLS trajectory for land at the Mossley**

2025-26	2026-27	2027-28	2028-29	2029-30	Total 5YHLS
0	0	20	20	0	40

### Current planning status

**3.76** The site does not have planning permission or a planning application pending determination. An outline planning application for up to 43 dwellings was validated on 1<sup>st</sup> June 2023 (LPA ref: CH/23/0226) but this was withdrawn on 2<sup>nd</sup> August 2024.

### Firm progress being made towards the submission of an application

3.77 The Council has not provided clear evidence of firm progress being made towards the submission of an application. The 2024 SHLAA (EXAM 5 – PDF page 75) includes the site in a list of "Restricted and Excluded Sites". It states:

"Site previously considered restricted due to access issues. However, the owner of the site has now purchased land which would enable a widened access to the development. However, there are now landownership issues which require resolution before the site can progress. Site area 1.8ha. Net developable area assumed to be 1.3ha. CH/23/0226 is a planning application for the erection of up to 43 dwellings, open space and associated works with access (all matters reserved), not yet determined. The site has been allocated for residential land within the Local Plan Review Reg 19."

3.78 The 2024 SHLAA also states that the site is "not suitable".

### Written agreement between the local planning authority and the site developer(s) which confirms the developers' delivery intentions and anticipated start and build-out rates

3.79 There is no written agreement between the LPA and a developer to support the trajectory for the site. The developer is not known.

### Firm progress with site assessment work

3.80 No clear evidence of firm progress with site assessment work has been provided.





**Clear relevant information about site viability, ownership constraints or infrastructure provision, such as successful participation in bids for large-scale infrastructure funding or other similar projects**

3.81 No evidence has been provided.

### **Summary**

3.82 In summary, the Council has not provided “clear evidence that housing completions will begin on site within five years”. There is no clear evidence of firm progress being made towards the submission of an application. Whilst an outline planning application had been made, this was withdrawn almost a year ago.

3.83 The 2024 SHLAA (EXAM 5) lists the site as being “restricted and excluded”. It states that the site is “not suitable”.

3.84 The site is not deliverable and should not be included in the 5YHLS.



## H50 and R25 – Nursery Fields, St Michaels Road, Brereton

Capacity = 35 dwellings, Council's 5YHLS = 35 dwellings

3.85 The Council's trajectory for this site (EXAM 38B) is as follows:

**Table 3.11 – Council's 5YHLS trajectory for Nursery Fields**

2025-26	2026-27	2027-28	2028-29	2029-30	Total 5YHLS
0	0	0	15	20	35

### Current planning status

**3.86** The site does not have planning permission or a planning application pending determination.

### Firm progress being made towards the submission of an application

3.87 The Council has not provided clear evidence of firm progress being made towards the submission of an application. The 2024 SHLAA includes the site in a list of "Restricted and Excluded Sites". It states:

"SCC advise that the land is currently vacant and surplus to requirements - previously educational use. Site is being proposed for mixed residential development circa 35 dwellings. The site's viability is subject to assessment and possible further investigation. Site is being promoted with the potential to come forward in the short term. The site has been allocated for residential land within the Local Plan Review Reg 19."

### Written agreement between the local planning authority and the site developer(s) which confirms the developers' delivery intentions and anticipated start and build-out rates

3.88 There is no written agreement between the LPA and a developer to support the trajectory for the site. The developer is not known.

3.89 The 2024 SHLAA (EXAM 5 – PDF page 75) lists the site as being "restricted and excluded". It states that the site is "not suitable".

### Firm progress with site assessment work

3.90 No clear evidence of firm progress with site assessment work has been provided.



**Clear relevant information about site viability, ownership constraints or infrastructure provision, such as successful participation in bids for large-scale infrastructure funding or other similar projects**

3.91 No evidence has been provided.

### **Summary**

3.92 In summary, the Council has not provided “clear evidence that housing completions will begin on site within five years”.

3.93 The 2024 SHLAA (EXAM 5) lists the site as being “restricted and excluded”. It states that the site is “not suitable”.

3.94 The site is not deliverable and should not be included in the 5YHLS.



## H52 and R22 – Gregory Works, Armitage Road, Brereton

Capacity = 23 dwellings, Council's 5YHLS = 23 dwellings

3.96 The Council's trajectory for this site (EXAM 38B) is as follows:

**Table 3.12 – Council's 5YHLS trajectory for Gregory Works**

2025-26	2026-27	2027-28	2028-29	2029-30	Total 5YHLS
0	0	0	0	23	23

### **Current planning status**

3.97 The site does not have planning permission or a planning application pending determination. The site previously had full planning permission for 23 homes, which was granted in October 2007 and has since expired.

### **Firm progress being made towards the submission of an application**

3.98 The Council has not provided clear evidence of firm progress being made towards the submission of an application. The 2024 SHLAA (EXAM 5 – PDF page 55) states:

“Site previously benefited from full planning permission (CH/07/0215) for the demolition of the industrial unit and the erection of 18 apartments and 5 houses, granted October 2007. Landowner has expressed continued interest in taking forward redevelopment of the site in the medium term. Sole landowner promoting site, not developer. Site currently in use as manufacturing works. Situated adjacent to a predominately residential area. The site has been allocated for residential land within the Local Plan Review Reg 19.”

### **Written agreement between the local planning authority and the site developer(s) which confirms the developers' delivery intentions and anticipated start and build-out rates**

3.99 There is no written agreement between the LPA and a developer to support the trajectory for the site. As above, the 2024 SHLAA explains that the site is promoted by a landowner and not a developer. The developer is not known.

### **Firm progress with site assessment work**

3.100 No clear evidence of firm progress with site assessment work has been provided.



3.101 The 2024 SHLAA explains that the site is adjacent to a conservation area but no evidence has been provided to demonstrate how this will be addressed.

**Clear relevant information about site viability, ownership constraints or infrastructure provision, such as successful participation in bids for large-scale infrastructure funding or other similar projects**

3.102 No evidence has been provided.

### **Summary**

3.103 In summary, the Council has not provided “clear evidence that housing completions will begin on site within five years.” Indeed, the 2024 SHLAA explains that the site is currently in use for manufacturing and is being promoted by the landowner in the “medium” term. The site is not deliverable and should not be included in the 5YHLS.



## H53 and R189 – Land off Lichfield Street, Rugeley

Capacity = 20 dwellings, Council's 5YHLS = 20 dwellings

3.104 The Council's trajectory for this site (EXAM 38B) is as follows:

**Table 3.13 – Council's 5YHLS trajectory for land off Lichfield Street**

2025-26	2026-27	2027-28	2028-29	2029-30	Total 5YHLS
10	10	0	0	0	20

3.105 The Council's trajectory assumes the site is under construction in the current year (i.e. 2025-26).

### **Current planning status**

3.106 The site does not have planning permission. A planning application for 12 dwellings was validated on 16<sup>th</sup> June 2023 (LPA ref: CH/23/0242), but this is still pending determination over 2 years later. It does not explain why the Council has included 20 dwellings at the site.

### **Written agreement between the local planning authority and the site developer(s) which confirms the developers' delivery intentions and anticipated start and build-out rates**

3.107 There is no written agreement between the LPA and a developer to support the trajectory for the site. The 2024 SHLAA explains that the site is "achievable within 6-15 years"

### **Summary**

3.108 In summary, the Council has not provided "clear evidence that housing completions will begin on site within five years." Indeed, the 2024 SHLAA considers the site is achievable within 6-15 years. Whilst a full planning application is pending determination, this is for 12 dwellings, not 20.

3.109 The site is not deliverable and should not be included in the 5YHLS.



## H69 and N67b – 272 Hednesford Road, Norton Canes

Capacity = 11 dwellings, Council's 5YHLS = 11 dwellings

3.110 The Council's trajectory for this site (EXAM 38B) is as follows:

**Table 3.14 – Council's 5YHLS trajectory for 272 Hednesford Road**

2025-26	2026-27	2027-28	2028-29	2029-30	Total 5YHLS
0	0	11	0	0	11

### Current planning status

3.111 The site does not have planning permission. A planning application for 11 dwellings (6 apartments, 1 bedroom and 4 houses) was registered on 21<sup>st</sup> June 2022 (LPA ref: CH/22/0233). The decision notice has not been issued over 3 years later.

3.112 Whilst a resolution to grant was made at committee in March 2024, this was subject to a S106 agreement for contributions towards education and off-site affordable housing. The S106 agreement has not been signed over 16 months later.

### Written agreement between the local planning authority and the site developer(s) which confirms the developers' delivery intentions and anticipated start and build-out rates

3.113 There is no written agreement between the LPA and a developer to support the trajectory for the site. The 2024 SHLAA (EXAM 5 – PDF page 55) explains that the site is "achievable within 6-15 years"

### Summary

3.114 In summary, the Council has not provided "clear evidence that housing completions will begin on site within five years." Indeed, the 2024 SHLAA considers the site is achievable within 6-15 years.

3.115 Whilst a full planning application is pending determination and a resolution to grant permission was made, the resolution was over 16 months ago and the S106 agreement has not been signed. The site is not deliverable and should not be included in the 5YHLS.



## SM1 and R127 – Rugeley Power Station

Capacity = 2,300 (1,000 in Cannock Chase), Council's 5YHLS = 400 dwellings

3.116 The Council's trajectory for this site (EXAM 38B) is as follows:

**Table 3.15 – Council's 5YHLS trajectory for Rugeley Power Station**

2025-26	2026-27	2027-28	2028-29	2029-30	Total 5YHLS
50	100	100	100	50	400

3.117 As shown in the table above, the Council's trajectory assumes that dwellings are being completed on this site in the current year (i.e. 2025/26). This is unrealistic. As set out below, a reserved matters application for residential development has not even been submitted.

3.118 Beyond the 5YHLS period, the trajectory then states that there will be no completions in 2030/31 and 2032/33 and then 60 dwellings per annum from 2032/33 to 2036/37 and then 100 dwellings per annum in 2037/38 to 2039/40.

### Current Planning Status

3.119 On 7<sup>th</sup> April 2021, the Council granted outline planning permission for the redevelopment of the former Rugeley Power Station (LPA ref: CH/19/201) and on 8<sup>th</sup> April 2021 Lichfield District Council granted outline planning permission (ref: 19/00753/OUTMEI). The description of development of the outline permissions is as follows:

"Outline Planning Application for the creation of development platform and the demolition of existing office building, environmental centre, and security gatehouse, site clearance, remediation and phased mixed-use development comprising up to 2,300 new dwellings and residential units (use classes C3 and C2), up to 1.2 ha of mixed-use (use classes A1, A2, A3, A4, A5, C1, C2, C3, D1 and D2), up to 5 ha of employment (use classes B1a, b, c and B2), a school (All Through School or 1 no. 2 Form Entry Primary School (use class D1)), formal and informal publicly accessible open space, key infrastructure including new adoptable roads within the site and the provision of a new primary access junction on to the A513, ground and roof mounted solar panels and 2 no. existing electricity substations (132 KV and 400 KV) retained (All Matters Reserved Except Access)"

3.120 Condition 1 of the outline planning permission allows 20 years for the submission of reserved matters applications. It states:





“The development hereby approved shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later. Application(s) for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of twenty years from the date of this permission.”

- 3.121 Pursuant to the outline planning permissions, there have been several reserved matters applications but notably none of these relate to residential development. Reserved matters have been approved for a section of the spine road, a riverside park and an All Through School. The school is due to open in September 2025.

**Firm progress being made towards the submission of an application**

- 3.122 The Council has not provided clear evidence of firm progress being made towards the submission of an application. The Council relies on a Statement of Common Ground (SoCG) dated November 2024 between the Council and the promoter, “Rugeley Power Ltd” (EXAM 1). This refers to a Planning Performance Agreement (PPA) but this has not been provided.
- 3.123 The SoCG (EXAM 1) provides the same trajectory adopted by the Council. However, it provides no details in relation to when reserved matters applications are going to be made, who they will be by or when they will be determined. It is scant in detail.

**Written agreement between the local planning authority and the site developer(s) which confirms the developers’ delivery intentions and anticipated start and build-out rates**

- 3.124 There is no written agreement between the LPA and a developer to support the trajectory for the site. Developers have not been named in the SoCG (EXAM 1). It is unclear who will develop the site or what their anticipated start and build-out rates would be. It is unclear how 100 dwellings per annum will be achieved (in addition to dwellings also expected to be delivered concurrently in Lichfield District).

**Firm progress with site assessment work**

- 3.125 No clear evidence of firm progress with site assessment work relating to the first phases of residential development have been provided.

**Clear relevant information about site viability, ownership constraints or infrastructure provision, such as successful participation in bids for large-scale infrastructure funding or other similar projects**

- 3.126 Remediation of the site is ongoing. A roundabout has been constructed to provide access for the school and the school is expected to open in September 2025.



## Summary

- 3.127 In summary, the Council has not provided “clear evidence that housing completions will begin on site within five years”. Whilst the site has outline planning permission, reserved matters applications for residential have not been made and it is unclear who the developers will be. Despite this, the Council’s trajectory assumes delivery will start in the current year (2025/26), which is unrealistic.
- 3.128 A SoCG (EXAM 1) with the promoter has been provided, but this does not provide clear evidence of firm progress being made towards the preparation of reserved matters applications. It simply provides a trajectory which is not supported by clear evidence.
- 3.129 The site is not deliverable and should not be included in the 5YHLS. However, if the Inspector disagrees and concludes the site is deliverable, the lead-in time should be extended to allow time for reserved matters applications to be made, considered and approved, pre-commencement conditions to be discharged, infrastructure delivered and a start on site made.



## 4. Conclusions

- 4.1 In conclusion, we dispute the inclusion of 16 sites in the 5YHLS trajectory as shown in EXAM 38B and the chart in EXAM 38E. Both the trajectory and the chart should be amended accordingly.
- 4.2 As a result of the deductions we make, we conclude the deliverable supply at 1<sup>st</sup> April 2025 is 752 dwellings (i.e. 1,561 – 829 = 752). Against the proposed adopted housing requirement and a 5% buffer, this equates to **2.71 years** as shown in the following table.

**Table 4.1 – Cannock Chase’s 5YHLS at 1<sup>st</sup> April 2025**

	Requirement	LPA – EXAM 38B	Bloor Homes
A	Annual emerging housing requirement	264	264
B	Five year requirement	1,320	1,320
C	5% buffer	66	66
D	Total five year requirement including 5% buffer	1,386	1,386
E	Annual housing requirement including 5% buffer	277.2	277.2
	<b>Supply</b>		
F	Deliverable supply at 1 <sup>st</sup> April 2025	<b>1,581</b>	<b>752</b>
G	Supply in years (F / E)	<b>5.7</b>	<b>2.71</b>
H	Over / under supply against 5YHLS requirement plus buffer (F – D)	<b>195</b>	<b>-634</b>

- 4.3 The Council cannot demonstrate a 5YHLS at 1<sup>st</sup> April 2025 on adoption of the Local Plan. Additional, deliverable sites should be allocated. Alternatively, the Inspector may wish to pursue the same approach as in South Worcestershire where the Local Plan Inspectors concluded that a 5YHLS cannot be demonstrated on adoption, but the Local Plan in that case could proceed to adoption as discussed in the introduction to this statement.





# Affordable Housing Briefing Report

## Norton Canes

August 2025

# Contents

1.	Introduction	3
2.	Emerging Development Plan and Evidence Base	4
3.	Projected Affordable Housing Supply from the Trajectory	11
4.	Other Material Considerations	20
5.	Summary and Recommendations	25
Appendix AH1:	Data Tables	27
Appendix AH2:	Housing Trajectory Projected Affordable Housing Delivery by Site	29
Appendix AH3:	Delivery vs 2019 LHNA Need – Original Policy Scenario	30
Appendix AH4:	Delivery vs 2019 LHNA Need – Main Modifications Scenario	31
Appendix AH5:	Five-Year Affordable Housing Supply – Council Trajectory	32
Appendix AH6:	Five-Year Affordable Housing Supply – Emery Planning Trajectory	33

Annie Gingell  
[annie.gingell@turley.co.uk](mailto:annie.gingell@turley.co.uk)

**Client**  
Bloor Homes Midlands

**Our reference**  
02703

August 2025

# 1. Introduction

- 1.1 This Affordable Housing Briefing Report has been prepared by **Turley** on behalf of **Bloor Homes Midlands**. It provides a detailed analysis of the likely level of affordable housing delivery in Cannock Chase District, drawing on the Council's Housing Trajectory Proposed Mods Version (**EXAM 38B**), published on 29 July 2025, and the implications of emerging Policy SO3.2.
- 1.2 The report responds to a critical gap in the Council's evidence base: the absence of any published modelling of how the emerging Local Plan will deliver affordable housing against identified needs. Given the scale of affordable housing need confirmed in the Council's latest evidence, it is essential to understand whether the policy framework is capable of delivering a sufficient and sustainable supply of affordable homes.
- 1.3 The analysis considers both actual affordable housing delivery to date and projected delivery across the remainder of the Local Plan period (2018/19 to 2039/40). It applies a consistent methodology to assess performance under both the submission and proposed main modification versions of Policy SO3.2, with a particular focus on the five-year period following anticipated plan adoption (2025/26 to 2029/30).
- 1.4 The findings demonstrate that, even under the most favourable assumptions, projected delivery will fall well short of meeting evidenced need. This has serious implications for the soundness of the emerging Local Plan, particularly in terms of its ability to meet the social objective of sustainable development as outlined under paragraph 8b of the NPPF.

## **Structure of this Report**

- 1.5 This Report is structured as follows:
  - Section 2 - Emerging Development Plan and Evidence Base
  - Section 3 - Projected Affordable Housing Supply from the Trajectory
  - Section 4 - Other Material Considerations
  - Section 5 - Summary and Recommendations

## 2. Emerging Development Plan and Evidence Base

### Introduction

- 2.1 This section identifies the relevant emerging Development Plan documents, and their supporting evidence base for affordable housing provision in Cannock Chase.
- 2.2 The documents reviewed include both the submission and proposed main modification versions of Policy SO3.2, along with the underpinning Local Housing Needs Assessments (2019 and 2024) that provide the foundation for determining the level and type of affordable housing required.
- 2.3 These documents are critical to understanding whether the Local Plan is sound, justified, and effective, in line with paragraph 36 of the NPPF.

### Emerging Development Plan

- 2.4 The Council approved the Cannock Chase District Local Plan Pre-Submission (Regulation 19) Document at its Cabinet meeting on 14 December 2023. The Regulation 19 public consultation ran from Monday 5 February to 5pm on Monday 18 March 2024. The emerging Local Plan was subsequently submitted to the Secretary of State for Examination on 29 November 2024.
- 2.5 Chapter 5 of the submission version of the Local Plan (**SD1**) sets out the 'Local Plan Vision & Objectives'. Under the sub heading 'Housing' on page 18 it states that:

*"From a detailed analysis of the market undertaken in 2019 the Cannock Chase Local Housing Needs Assessment identified a net annual need of 105 [24] dwellings per year, over the 20-year period 2018-38".*

- 2.6 With footnote 24 adding that:

*"For the 18 year period 2018-36 in the main body of the report, the annual need is calculated as 110 affordable dwellings per year, of which 11% one bed, 65% two bed, 16% 3 bed and 8% 4+ bed"*

- 2.7 It is important to note that the figure of 110 net affordable homes per annum **does not** reflect the needs identified in the Council's most recent assessment of housing need found in the Housing Needs Assessment published in January 2024. This issue is considered in more detail later in this Report.

- 2.8 The draft Plan acknowledges on page 23 that one of the key issues for the District is:

*"Future housing needs, particularly affordable housing requirements, have to be met including a contribution to the shortfall across the wider housing market area".*

- 2.9 Pages 30 to 32 outline eight Strategic Objectives. The third states the aim:



*“To deliver a sufficient supply of homes to provide for housing choice and ensure all people are able to live in a decent home which meets their needs by [...] Helping meet local need for affordable dwellings.”*

- 2.10 Policy SO3.2 (Housing Choice) is the principal policy for affordable housing delivery. In line with paragraph 65 of the NPPF, it requires all major developments (i.e. 10 or more dwellings) to contribute to affordable housing provision. The level of contribution varies by location, as set out in Table 2.1 below.

*Table 2.1: Draft Affordable Housing Requirements by Location*

Ward	Threshold	Affordable Housing
Cannock and Bridgtown	All development	20%
Hednesford	10 units - brownfield	20%
	All other development	30%
Rugeley	10 units - brownfield	25%
	All other development	35%
Norton Canes and Heath Hayes	All development	35%

*Source: Submission version of the Local Plan (SD1).*

- 2.11 The policy misleadingly implies that the locations listed are individual wards. In reality, as set out in paragraph ES24 of the Viability Assessment (**EC9**) published in 2022, the four zones used are based on aggregations of ward boundaries; with each zone comprising three or four wards. Figure ES1.1 on page V of the 2022 Assessment confirms this, showing the zones overlaid on the relevant ward boundaries.
- 2.12 This distinction is important, as mislabelling these areas can lead to confusion and misapplication of the policy.
- 2.13 In this context, it is relevant to refer to the Schedule of Actions from Week 3 of the Examination Hearing Sessions (**EXAM 31**), particularly Action Points AP58 and AP86. AP86 states:

*“Draft proposed modification to Policy SO3.2 Table D to align Affordable Housing Percentages with EC10 (Viability Study 2024) Table 8.1 for consideration and potential main modification to the policy.”*

- 2.14 The action notes that the modification has been added to the main modifications schedule. However, the reference to Table 8.1 is incorrect; it should refer to Table 6.1 of EC10. Table 2.2 below shows the proposed revised affordable housing requirements from Table 6.1 and the resulting percentage changes.

Table 2.2: Proposed Modifications to Affordable Housing Requirements

Ward	Threshold	Affordable Housing	%age Change
Cannock and Bridgtown	Greenfield	15%	-5%
	Brownfield	10%	-10%
Hednesford	Greenfield	15%	-15%
	Brownfield	15%	-5%
Rugeley	Greenfield	20%	-15%
	Brownfield	15%	-10%
Norton Canes and Heath Hayes	Greenfield	20%	-15%
	Brownfield	15%	-20%

Source: Submission version of the Local Plan (**SD1**); and 2024 Viability Addendum (**EC10**).

- 2.15 As demonstrated by Table 2.2 above, the 2024 Viability Addendum (**EC10**) seeks to retain the same zones as the original policy wording. However, it fails to account for the fact that ward boundaries were redrawn in 2023. As a result, the basis for the zonal structure is now out of date, and many of the newly defined wards now fall across multiple zones, making the zonal approach internally inconsistent and difficult to apply in practice.
- 2.16 Whilst this is something that could, in theory, be resolved through a Main Modification by introducing a new, **legible** map showing the zones overlaid with the current ward boundaries alongside the policy wording to clarify that the locations referred to are not individual wards, it does highlight a more fundamental issue with the evidence base.
- 2.17 The failure to update the zonal structure to reflect the 2023 boundary changes suggests a lack of rigour and up-to-date analysis, which in turn casts doubt on the reliability of the viability testing that underpins Policy S03.2. This inconsistency risks rendering the policy ineffective in practice and undermines its legal robustness.
- 2.18 Policy S03.2 as submitted goes on to note that “Where delivery on site is not feasible or viable, sites of 10-14 residential units and exceptionally on sites of 15 or more units, financial contributions instead of on site provision may be accepted” highlighting a significant flexibility in implementation.
- 2.19 The supporting text to the policy is explicit at paragraph 6.104 that “The latest evidence identifies there is a significant need for affordable rented housing. There is a need to restore the balance in the housing market by providing more dwellings suited to young families and older and disabled people and housing suitable for households with specific needs.”

- 2.20 However, paragraph 6.105 goes on to explain that *“Evidence shows the need for affordable dwellings across the district will not be met in entirety by this plan it is therefore appropriate to require a higher level of provision and to safeguard the provision made by the plan to ensure the amount of dwellings which remain affordable in perpetuity delivers this strategic objective.”*
- 2.21 This statement appears at odds with the actions agreed through the Examination process, which propose reducing affordable housing requirements across all zones. Instead of safeguarding provision, the proposed modifications would weaken the policy’s ability to meet identified needs. It is also notable that no publicly available evidence has been provided on the likely level of affordable housing delivery under either the submission policy or the modified version.
- 2.22 This omission highlights a key weakness in the emerging Local Plan: while the evidence base assesses overall need and viability, the Council has not published any analysis quantifying the level of affordable housing likely to be delivered under either the submission or modified version of Policy SO3.2. Nor has it set a target for affordable housing provision over the plan period. As a result, the policy is not underpinned by the evidence required to assess whether it is capable of meeting identified needs.
- 2.23 In this context, the Monitoring Framework in Appendix 1 offers little practical value. Although it identifies ‘Affordable home provision per annum’ as the indicator for Policy SO3.2, and refers to measuring delivery against targets, the absence of a defined target or delivery trajectory means there is no meaningful benchmark against which to assess performance. As a result, the policy’s implementation cannot be effectively monitored, and the Plan provides no mechanism for corrective action if delivery falls short.

### **Evidence Base**

- 2.24 The Regulation 18 consultation version of the emerging Local Plan was underpinned by the Cannock Chase Local Housing Needs Assessment (**H9**) published in April 2019 (2019 LHNA) prepared by Opinion Research Services.
- 2.25 Paragraph 5.38 highlights that there is a need to provide affordable housing for 1,929 households unable to afford to rent or buy over then 20-year Plan period from 2018 to 2036.
- 2.26 It goes on to note that once allowing for vacancies (based on Census 2011 rates for dwellings without a usually resident household) to take account of transactional voids and also longer-term voids associated with major works across the stock, there is a total affordable housing need of 1,984 dwellings in addition to the current stock, a net annual need of 110 dwellings per year over the period.
- 2.27 The paragraph also makes clear that:
- “Any losses from the current stock (such as demolition or clearance, or sales through Right to Buy) would increase the number of affordable dwellings needed by an equivalent amount.”*

- 2.28 Given the length of time between the Preferred Options and Regulation 19 documents, the Council undertook updates to a number of documents in the Local Plan evidence base, inclusive of a Housing Needs Assessment.
- 2.29 The Regulation 19 consultation was accompanied by the Cannock Chase Housing Needs Assessment (**H10**) published in January 2024 (2024 HNA) prepared by JG Consulting. It considers affordable housing needs over the 19-year period from 2021/22 to 2039/40.
- 2.30 The 2024 HNA calculates the need for social/affordable rented accommodation and the need for affordable home ownership tenures separately:
- Figure 4.17 on page 97 identifies an annual affordable housing need of 290 net social/affordable rented homes across over period.
  - Furthermore, Figure 4.27 on page 112 identifies an annual affordable housing need of 66 net affordable home ownership homes over the period .
- 2.31 When combining the identified needs for social/affordable rented accommodation (290pa) and affordable home ownership homes (66pa), **there is an ongoing total net need for 356 affordable homes per annum.**
- 2.32 It is noted that the 2024 HNA states at paragraph 4.55 that:
- “The analysis estimates an annual need for 290 rented affordable homes, which is notionally 110% of a Local Housing Need of 264 dwellings per annum (as calculated using the Standard Method). However, as noted, caution should be exercised in trying to make a direct link between affordable need and planned delivery, with the key point being that many of those households picked up as having a need will already be living in housing and so providing an affordable option does not lead to an overall net increase in the need for housing (as they would vacate a home to be used by someone else).”*
- 2.33 This statement appears to conflate planned delivery with the Local Housing Need figure and underestimates the implications of identified affordable need. The fact that some households in affordable housing need already occupy homes (and would release them if rehoused) might mean that overall housing need doesn’t increase, but that does not reduce the size or importance of the affordable housing need itself.
- 2.34 Similarly, while it is correct that many households in affordable housing need are already occupying homes, the key issue is that those homes are often unsuitable, unaffordable, or insecure. These households remain in need precisely because they cannot access a home that meets their needs at a price they can afford (i.e. their needs are not met by the market). Furthermore, the Planning Practice Guidance<sup>1</sup> is explicit that *“the number of existing affordable housing tenants in need”* is a component of the need calculation.
- 2.35 Meeting this need by delivering genuinely affordable housing is not simply a matter of shuffling households within the existing stock; it improves housing conditions, unlocks mobility, and frees up stock for others. Failure to meet this need risks perpetuating

---

<sup>1</sup> Paragraph: 020 Reference ID: 2a-020-20190220

overcrowding, homelessness, and housing-related disadvantage; undermining the explicit objectives of the Local Plan and wider national policy.

- 2.36 The 2024 HNA also states at paragraph 4.58 that *“the need estimate is on a per annum basis and should not be multiplied by the plan period to get a total need.”* This statement directly conflicts with the Planning Practice Guidance<sup>2</sup> which is clear that, the total net need should be converted into an annual flow based on the plan period.
- 2.37 The HNA’s caution against multiplying the annual need figure to calculate a total plan period requirement undermines the ability to assess whether the Local Plan is capable of addressing identified needs in full. Without a cumulative figure, it is not possible to compare need with projected delivery across the plan period. This statement limits transparency, weakens accountability, and fails to meet basic standards of plan-making.
- 2.38 A simple extrapolation of the annual figure (356 dwellings per year over 19 years) suggests a total need of 6,764 affordable homes over the plan period. In the absence of any target or trajectory for delivery, there is no other mechanism by which to assess whether Policy SO3.2 is even theoretically capable of delivering a meaningful proportion of need. This undermines the Plan’s compliance with national policy and the soundness tests in the NPPF.
- 2.39 Taken together, the 2019 and 2024 Assessments confirm a substantial and rising need for affordable housing across Cannock Chase. The 2024 HNA identifies a net need for 356 affordable homes per annum; representing a 224% increase on the 110 dwellings per annum identified in the earlier 2019 assessment. This dramatic increase reflects declining affordability, growing population pressures, and worsening housing market access. It underscores the need for an ambitious and evidence-led policy response.

## Conclusions

- 2.40 The evidence presented in this section demonstrates that the emerging Local Plan, as currently drafted, does not provide a justified or effective response to affordable housing need in Cannock Chase. Despite recognising the importance of affordable housing and acknowledging the scale of the challenge, Policy SO3.2 fails to translate this into a delivery framework capable of addressing the substantial and rising need identified in the evidence base.
- 2.41 The 2024 HNA identifies a net annual need for 356 affordable home; more than three times the figure set out in the 2019 LHNA that underpins the Plan’s vision and objectives. Yet no target or delivery trajectory has been provided to reflect this revised level of need, and the proposed policy modifications would reduce affordable housing contributions across all areas.
- 2.42 The continued reliance on outdated ward boundaries, internal inconsistencies in policy presentation, and absence of any modelling of expected delivery outcomes further weaken the Plan. These failings undermine both its effectiveness and internal coherence.

---

<sup>2</sup> Paragraph: 024 Reference ID: 2a-024-20190220

- 2.43 The Planning Practice Guidance is clear that plan policies must be underpinned by proportionate and up-to-date evidence, and that affordable housing need should be quantified in a way that informs clear and measurable policy responses. On this basis, Policy SO3.2 cannot be considered sound as it does not meet the tests of justification or effectiveness set out in paragraph 36 of the NPPF.
- 2.44 In this instance a sound and legally compliant Local Plan must include:
- An updated and evidence-based affordable housing target;
  - A robust and up-to-date policy framework aligned with current viability and ward boundaries; and
  - A monitoring framework with measurable indicators, a delivery trajectory, and clear mechanisms for remedial action if delivery falls short.
- 2.45 In the absence of these components, the Plan fails to demonstrate that it is capable of delivering on its strategic objectives or meeting the requirements of national policy. A more ambitious and structured approach is urgently required to ensure that the Local Plan can deliver meaningful progress in addressing the District's acute affordable housing need.

### 3. Projected Affordable Housing Supply from the Trajectory

#### Introduction

- 3.1 This section provides a detailed assessment of affordable housing delivery across the emerging Local Plan period, drawing on both historic delivery rates and future projections from the Council's latest Housing Trajectory.
- 3.2 It evaluates actual performance against the identified needs in the 2019 LHNA and the more recent 2024 HNA, highlighting the extent of shortfall already accrued and the implications of projected delivery under both the submission and main modification versions of Policy SO3.2. The analysis also tests the effectiveness of the Council's policy framework in delivering affordable housing at a scale commensurate with identified needs.
- 3.3 This section is directly relevant to the NPPF tests of soundness, particularly whether the plan is 'justified' (i.e. supported by proportionate evidence) and 'effective' (i.e. deliverable over the plan period). As the evidence will show, the scale of projected shortfall raises serious concerns about both.
- 3.4 The analysis demonstrates that, even under the most optimistic assumptions, affordable housing supply will fall far short of meeting evidenced needs; an issue compounded by ongoing losses to the affordable housing stock through Right to Buy which as noted in the 2019 LHNA would increase affordable housing needs on a like for like basis.
- 3.5 The findings highlight significant concerns regarding the soundness of the Plan and the absence of any credible mechanism to address the shortfall.

#### Affordable Housing Delivery to Date over the Plan Period

- 3.6 The analysis in the section is underpinned by the data tables provided at **Appendix AH1**, which have been compiled from Ministry of Housing Communities & Local Government (MHCLG) published statistics.
- 3.7 Since the start of the emerging Local Plan period in 2018<sup>3</sup>, the Council has added a total of 767 gross affordable dwellings to its housing stock, equivalent to just 128 new dwellings per annum. When compared with the total net housing completions figure of 2,677 dwellings, gross affordable housing delivery has represented 29% of additions.
- 3.8 Whilst the gross data from MHCLG accounts for new build affordable dwellings and acquisitions from the private sector, it does not account for any reductions in affordable housing stock due to demolitions or Right to Buy sales from Council and/or RP affordable housing portfolios.

---

<sup>3</sup> Also, the start of the 2019 HNA period.

- 3.9 Table 3.1 below illustrates the effect of Right to Buy sales on gross additions in Cannock Chase. This distinction between gross and net figures is critical when comparing delivery against net needs.

*Table 3.1: Net Additions to Affordable Housing Stock, 2018/19 to 2023/24*

Monitoring Period	Gross Additions	Right to Buy Sales	Net Additions
2018/19	125	28	97
2019/20	108	37	71
2020/21	71	30	41
2021/22	291	32	259
2022/23	152	32	120
2023/24	20	14	6
<b>Totals</b>	<b>767</b>	<b>173</b>	<b>594</b>
<b>Avg. Pa.</b>	<b>128</b>	<b>29</b>	<b>99</b>

*Source: MHCLG Open Data.*

- 3.10 The data highlights that over the six year period there has been a total of 173 losses to affordable housing stock through the Right to Buy, this represents 23% of gross additions. When the effect of the Right to Buy is taken in to account the Council has delivered 594 net affordable homes since 2018/19, equivalent 99 dwellings per annum. This represents only 22% of total net housing additions. This figure is likely to fall even further if demolitions were taken into account<sup>4</sup>.
- 3.11 The cumulative effect of these losses erodes progress toward meeting affordable housing need and must be accounted for in any credible trajectory or monitoring framework. However, the Local Plan contains no mechanism to adjust delivery expectations based on losses despite this point being explicitly raised in the 2019 LHNA.
- 3.12 When comparison is drawn between the affordable housing needs identified in the 2019 HNA, over the six-year period (2018/19 to 2023/24), the Council has accrued a cumulative shortfall of 66 affordable homes when measured against the 110 net homes per year identified in the 2019 LHNA.
- 3.13 The 2024 HNA identifies a significantly higher need for 356 net affordable homes per year from 2021/22 to the end of the emerging plan period in 2039/40. Table 3.2 calculates the cumulative shortfall in affordable housing delivery to date against this updated calculation of need.

---

<sup>4</sup> MHCLG does not provide affordable housing demolition data at local authority level.



*Table 3.2: Net Additions to Affordable Housing Stock Compared to Affordable Needs identified in the 2024 HNA, 2021/22 to 2023/24*

Monitoring Period	Net Additions	Net Need	Annual Shortfall	Cumulative Shortfall	Additions as a %age of Needs
2021/22	259	356	-97	-97	73%
2022/23	120	356	-236	-333	34%
2023/24	6	356	-350	-683	2%
Total	385	1,068	-683		36%
Avg. Pa	128	356	-228		

Source: MHCLG Open Data; and 2024 HNA.

- 3.14 Table 3.2 demonstrates that in the three year period since the start of the 2024 HNA period in 2021/22 the Council has delivered just 385 net affordable homes. This has resulted in a cumulative shortfall of 683 affordable homes against a need for 1,068. This equates to an average of only 36% of annualised need being met during this time.
- 3.15 It is notable that in the 2023/24 monitoring period the Council delivered just six net affordable homes.
- 3.16 The average annual delivery of 128 affordable homes per annum starkly contrasts with the identified need of 356 affordable homes per year. In percentage terms just 36% of needs were met over the period. In other words, 64% of households in need of an affordable home did not have their needs met .
- 3.17 The scale of the shortfall, combined with the substantial number of households on the Council's Housing Register, underscores an urgent and pressing need for affordable housing. The 1,192 households on the Councils Housing Register are in need of an affordable home *now*.
- 3.18 As such the aim should be to meet the shortfall in affordable housing provision as soon as possible i.e. over the next five years, in line with the approach set out in the NPPG<sup>5</sup> for overall housing shortfalls. This approach has been supported by a number of a SoS and Inspectors appeal decisions<sup>6</sup>.
- 3.19 To clear the 683 dwelling shortfall accumulated between 2021/22 and 2023/24, the Council would need to deliver 493<sup>7</sup> net affordable dwellings per annum over the next five years (2024/25 to 2029/30), representing a 39% increase from the annual need of 356 net affordable dwellings identified in the 2024 HNA. Without a step change in affordable housing delivery this is unlikely to be realised.

<sup>5</sup> Paragraph: 031 Reference ID: 68-031-20190722

<sup>6</sup> Appeal Refs: APP/K3415/W/24/3340089, APP/Z3445/W/24/3340094, APP/B1930/W/22/3312277, APP/C3620/W/23/3324631, APP/B3410/W/20/3245077, APP/B1930/W/20/3265925, APP/C1950/W/20/3265926 and APP/Q3115/W/19/3230827.

<sup>7</sup> 683 / 5 years = 136.6 + 356 = 492.6

### **Projected Affordable Housing Supply from the Trajectory**

- 3.20 On 29 July 2025, the Council added the Housing Trajectory Proposed Mods Version (**EXAM 38B**) to the examination library. This document sets out projected housing supply over the plan period (2018/19 to 2039/40) and forms the basis for the affordable housing analysis below.
- 3.21 As affordable housing completions are already known for the monitoring years 2018/19 to 2023/24, the assessment focuses on projected delivery over the remaining 16-year period from 2024/25 to 2039/40.
- 3.22 This analysis considers only sites within the trajectory that are permitted for 10 or more dwellings (i.e. major developments), as these are expected to deliver on-site affordable housing in line with paragraph 65 of the NPPF. This approach reflects the scope of Policy SO3.2 and aligns with the national definition of ‘major development’.
- 3.23 As such, it has been assumed that there will not be any affordable housing delivery from the small sites under construction and the small sites windfall allowance, since these sites likely to comprise mostly smaller sites that fall outside the scope of Policy SO3.2.
- 3.24 For sites with planning permission or an active application, the affordable housing percentage has been identified through a site-by-site review of the relevant online planning documents.
- 3.25 For sites without permission, a site-specific assessment has been carried out to estimate the level of affordable housing that would be required under emerging Policy SO3.2. To evaluate the implications of the proposed modifications, delivery has been modelled under both the submitted and main modification policy scenarios.
- 3.26 In applying the main modification policy scenario, the following assumptions have been made:
- Sites T019 and T050 are assumed to be greenfield, and therefore subject to the higher affordable housing requirements under Policy SO3.2.
  - Site T048 is assumed to fall within the Norton Canes and Heath Hayes Policy Zone. This reflects the 2024 ward boundaries, which place the site across two previously defined value zones, necessitating an interpretation aligned with the higher-value zone for robustness.
- 3.27 As larger sites often deliver housing across several phases and over an extended timeframe, a ‘pro-rata’ estimate of affordable housing delivery for the relevant periods has been applied. A breakdown of the analysis is provided at **Appendix AH2** of this Report.
- 3.28 The housing trajectory anticipates the following levels of affordable supply over the remaining 16 years of the plan period (2024/25 to 2039/40):
- Under the original submission policy: 867 gross affordable dwellings, equivalent to approximately 54 dwellings per annum

- Under the revised (main modification) policy: 604 gross affordable dwellings, equivalent to just 38 dwellings per annum
- 3.29 Both figures fall substantially below the affordable housing needs identified in the Council's evidence base.
- 3.30 The fact that, under either scenario, affordable housing delivery is set to fall significantly below recent levels, despite clear evidence of escalating need, indicates a looming collapse in the supply of affordable homes across the District. The projected delivery rates of 54 or 38 dwellings per annum are well below the average gross delivery rate of 128 dwellings per annum achieved over the first six years of the Plan period.
- 3.31 In addition, no deductions have been made for losses to the affordable housing stock over the period, such as through Right to Buy sales. As shown in Table 3.1, these losses occur annually in Cannock Chase and have consistently reduced the net number of affordable homes delivered each year. Over a 16-year period, such losses could significantly offset gross delivery.
- 3.32 This impact is particularly pronounced in the main modification scenario, the historical average Right to Buy sales per year would indicate the loss of approximately 29 dwellings annually from the affordable stock. When set against a projected gross delivery of just 38 affordable dwellings per annum under the modified policy, this would equate to a net annual gain of only 9 dwellings. This further underscores the inadequacy of the proposed policy and the absence of any credible plan to maintain, let alone increase, affordable housing provision across the District.
- 3.33 The change in policy wording between the submission version and the proposed main modifications evidently has a marked and negative impact on projected delivery. Crucially, these modifications have not yet been subject to public consultation. Given the scale of the reduction in affordable housing that would result, the absence of consultation undermines transparency and raises serious concerns about whether the modified policy meets the statutory requirements for soundness and legal compliance.
- 3.34 The severe shortfalls under both the submission and modified policy scenarios highlight the inability of the current framework to deliver affordable housing at the scale required. Despite clear evidence of acute and rising need, the Council has not published any analysis of how either version of Policy SO3.2 will perform against identified needs across the plan period. No delivery trajectory has been prepared, and no modelling has been undertaken to assess the real-world implications of the proposed changes.
- 3.35 This lack of scrutiny represents a serious gap in the evidence base and indicates that the impact of the revised policy has not been properly considered. The extent of the shortfalls, combined with this failure to evaluate or justify the proposed modification, reinforces the urgent need for additional site allocations and stronger, more effective delivery mechanisms to ensure the plan can meet its strategic objectives.

### **Projected shortfall over the Plan Period**

- 3.36 When compared with the needs identified in the 2019 LHNA (110 dwellings per annum), taking into account actual delivery to date and the likely supply of affordable housing

under the original policy wording (54 gross dwellings per annum), the Local Plan would deliver a total of 1,458 affordable homes between 2018/19 and 2039/40. This falls short of the 2,420 affordable homes needed over the same period, resulting in a projected shortfall of 910 dwellings by the end of the plan period, as summarised in **Appendix AH3**.

- 3.37 Under the reduced affordable housing targets introduced through the proposed main modifications (38 dwellings per annum), the shortfall increases to 1,166 dwellings by 2039/40, as summarised in **Appendix AH4**. This would result in only 50% of the identified needs in the 2019 LHNA being met. These figures demonstrate the significant impact that the proposed policy change would have on delivery, with no accompanying analysis or justification published by the Council to date.
- 3.38 Table 3.3 below sets out the position under the more recent 2024 HNA, which identifies a higher need of 356 net affordable homes per annum. Assuming delivery at 54 dwellings per annum from 2024/25 onwards, the existing shortfall of 683 dwellings (2021/22–2023/24) will grow each year, reaching a cumulative shortfall of 5,515 dwellings by the end of the 2039/40 monitoring period. This means that just 18% of total identified need would be met over the plan period.

Intentionally blank to enable presentation  
of the full table on the next page.

*Table 3.3: Actual and Projected Additions (original policy wording) to Affordable Housing Stock Compared to Affordable Needs Identified in the 2024 HNA, 2021/22 to 2039/40*

Monitoring Period	Additions to AH Stock		Net Need (Pa.)	Annual Shortfall	Cumulative shortfall	Additions as a %age of Needs
	Actual (Net)	Projected (Gross)				
2021/22	259		356	-97	-97	73%
2022/23	120		356	-236	-333	34%
2023/24	6		356	-350	-683	2%
2024/25		54	356	-302	-985	15%
2025/26		54	356	-302	-1,287	15%
2026/27		54	356	-302	-1,589	15%
2027/28		54	356	-302	-1,891	15%
2028/29		54	356	-302	-2,193	15%
2029/30		54	356	-302	-2,495	15%
2030/31		54	356	-302	-2,797	15%
2031/32		54	356	-302	-3,099	15%
2032/33		54	356	-302	-3,401	15%
2033/34		54	356	-302	-3,703	15%
2034/35		54	356	-302	-4,005	15%
2035/36		54	356	-302	-4,307	15%
2036/37		54	356	-302	-4,609	15%
2037/38		54	356	-302	-4,911	15%
2038/39		54	356	-302	-5,213	15%
2039/40		54	356	-302	-5,515	15%
<b>Totals</b>	<b>1,249</b>		<b>6,764</b>	<b>-5,515</b>		<b>18%</b>
<b>Avg. Pa</b>	<b>66</b>		<b>356</b>	<b>-290</b>		

*Source: MHCLG Open Data; Submission version of the Local Plan (SD1); Housing Trajectory Proposed Mods Version (EXAM 38B); 2024 HNA; and Cannock Chase Public Access.*

- 3.39 Table 3.4 calculates the same position under the proposed main modifications, assuming a lower delivery rate of 38 gross affordable dwellings per annum from 2024/25 onwards. Again, it shows that the existing shortfall of 683 dwellings will increase year on year, reaching a cumulative shortfall of 5,771 dwellings by 2039/40. This represents a delivery rate of just 15% against the needs identified in the 2024 HNA, significantly weakening the Plan's ability to respond to affordable housing pressures.

*Table 3.4: Actual and Projected Additions (main modifications policy wording) to Affordable Housing Stock Compared to Affordable Needs Identified in the 2024 HNA, 2021/22 to 2039/40*

Monitoring Period	Additions to AH Stock		Net Need (Pa.)	Annual Shortfall	Cumulative shortfall	Additions as a %age of Needs
	Actual (Net)	Projected (Gross)				
2021/22	259		356	-97	-97	73%
2022/23	120		356	-236	-333	34%
2023/24	6		356	-350	-683	2%
2024/25		38	356	-318	-1,001	11%
2025/26		38	356	-318	-1,319	11%
2026/27		38	356	-318	-1,637	11%
2027/28		38	356	-318	-1,955	11%
2028/29		38	356	-318	-2,273	11%
2029/30		38	356	-318	-2,591	11%
2030/31		38	356	-318	-2,909	11%
2031/32		38	356	-318	-3,227	11%
2032/33		38	356	-318	-3,545	11%
2033/34		38	356	-318	-3,863	11%
2034/35		38	356	-318	-4,181	11%
2035/36		38	356	-318	-4,499	11%
2036/37		38	356	-318	-4,817	11%
2037/38		38	356	-318	-5,135	11%
2038/39		38	356	-318	-5,453	11%
2039/40		38	356	-318	-5,771	11%
<b>Totals</b>	<b>993</b>		<b>6,764</b>	<b>-5,771</b>		<b>15%</b>
<b>Avg. Pa</b>	<b>52</b>		<b>356</b>	<b>-304</b>		

*Source: MHCLG Open Data; Submission version of the Local Plan (SD1); 2024 Viability Addendum (EC10); Housing Trajectory Proposed Mods Version (EXAM 38B); 2024 HNA; and Cannock Chase Public Access.*

- 3.40 The data confirms that under either policy scenario, the emerging Local Plan would fail to meet the scale of need identified in the Council's own evidence base. The shortfall is particularly acute under the proposed main modifications, where affordable housing delivery would meet just 15% of identified need. In other words, 85% of needs would go unmet.
- 3.41 It is important to emphasise that the projected figures in Tables 3.3 and 3.4 reflect gross delivery only and do not account for future losses to the affordable housing stock through the Right to Buy or other disposals and demolitions. As demonstrated earlier in

Table 3.1, Right to Buy losses have consistently eroded affordable housing gains in Cannock Chase, accounting for 173 dwellings, or 23% of all gross additions, since 2018/19.

- 3.42 If this trend continues over the remaining plan period, a further 400 to 500 affordable homes could be lost from the stock, further widening the gap between delivery and need. The Council has made no allowance for this erosion of stock, meaning the actual scale of under-provision is likely to be even more severe than modelled in this Report.
- 3.43 Despite this, the Council has not produced any delivery trajectory, modelling, or assessment of whether either version of Policy SO3.2 is capable of delivering sufficient affordable homes. This failure to assess or address the implications of the policy framework for meeting evidenced need undermines the Plan's soundness and highlights the urgent requirement for additional site allocations and stronger delivery mechanisms.

### **Conclusions**

- 3.44 The evidence presented in this section demonstrates that affordable housing delivery in Cannock Chase has consistently fallen short of identified need throughout the emerging Local Plan period to date, with only 36% of need met since 2021/22 under the updated 2024 HNA. Delivery has declined significantly in the most recent monitoring year, with just six net affordable dwellings completed in 2023/24. Without decisive intervention, this shortfall will worsen year on year.
- 3.45 Looking forward, delivery under the Council's proposed policy framework is projected to meet only 18% of affordable housing needs under the original submission version of Policy SO3.2, falling to just 15% under the proposed main modifications. These figures do not account for future losses to affordable stock through Right to Buy, which are likely to further suppress net delivery. Under the modified policy scenario, the net gain to affordable stock could fall as low as 9 dwellings per annum across the remaining plan period.
- 3.46 The failure to assess, justify or mitigate these outcomes raises fundamental concerns about the effectiveness and soundness of the Local Plan. Without urgent intervention (including additional site allocations and stronger policy mechanisms) there is no realistic prospect of the Plan meeting the District's affordable housing needs. The absence of a trajectory, target, or delivery analysis also represents a failure to meet the NPPF's requirement to monitor and respond to delivery shortfalls (paragraph 78).

## 4. Other Material Considerations

### Introduction

- 4.1 The legal framework for material considerations is set out in the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning Act 1990. Section 38(6) of the 2004 Act states that planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise.
- 4.2 In the context of plan-making, material considerations are essential factors that must be taken into account to ensure that a Local Plans planning policies are relevant, effective, and in line with public interest. These considerations ensure that the plan aligns with national policies, addresses local needs, and supports sustainable development.
- 4.3 Paragraph 8b of the NPPF highlights that the social objective of sustainable development is to *“support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations”*. Whilst paragraph 61 makes clear that *“The overall aim should be to meet as much of an area’s identified housing need as possible, including with an appropriate mix of housing types for the local community”*.
- 4.4 This section reviews key material considerations relating to affordable housing need, focusing on indicators of current demand such as the Housing Register, homelessness levels, and market conditions. It also assesses projected affordable housing supply over the next five years, drawing on both the Council’s trajectory and alternative evidence from Emery Planning.

### Indicators of Affordable Housing Need

- 4.5 Key indicators such as the number of households on the Council’s Housing Register, the use of Temporary Accommodation (TA), and households presenting as homelessness demonstrate an urgent need for more affordable housing across the District.
- 4.6 The data in this section has been obtained from Ministry of Housing Communities & Local Government (MHCLG) published statistics.
- 4.7 Key findings include:
- **High and Persistent Demand for Social Housing:** As of 31 March 2024, there were 1,192 households on the Council’s Housing Register. This represents a 35% increase since the start of the 2019 LHNA<sup>8</sup> period (2018/19) and a 24% increase since the start of the 2024 HNA<sup>9</sup> period (2021/22).

This sustained growth in the Register highlights the increasing pressure on affordable housing provision and the need for a robust policy response.

---

<sup>8</sup> Local Housing Needs Assessment (H9) produced by ORS, published in April 2019

<sup>9</sup> Housing Needs Assessment (H10), produced by JG Consulting, published in January 2024



- **Housing Conditions:** Of those on the Housing Register, 51% qualified under a Reasonable Preference<sup>10</sup> category, indicating a recognised and urgent need for housing. Within this group, 40% were seeking to move due to insanitary or overcrowded conditions, and a further 33% on medical or welfare grounds.

This underscores the extent to which current housing provision is failing to meet basic human needs; suitable, safe and secure housing.

- **High levels of Homelessness:** Between 1 April 2023 and 31 March 2024, the Council accepted 279 households under a homelessness prevention<sup>11</sup> or relief duty<sup>12</sup>. The following causes of Homelessness are identified in the data:
  - For those owed a Prevention Duty, the most common reason was the end of a private rented tenancy (43%), underscoring the inherent instability of the sector. This was followed by households where family or friends were no longer willing or able to accommodate (18%), and those fleeing domestic abuse (15%).
  - Among households owed a Relief Duty, the primary causes were fleeing domestic abuse (28%), loss of a private rented tenancy (26%), and friends were no longer willing or able to accommodate (25%).
  - These figures highlight the predominance of crisis-driven factors in homelessness, rooted in both structural insecurity and acute personal vulnerability.

- 4.8 These indicators collectively present a clear and compelling picture of acute and growing affordable housing need across the District. Rising numbers on the Housing Register, poor living conditions among priority households, and high levels of homelessness (driven largely by structural insecurity and crisis) all point to a significant shortfall in genuinely affordable homes.
- 4.9 A strengthened policy response and increased delivery of affordable housing are essential to meet identified needs and ensure the Local Plan is both sound and responsive to the challenges facing local communities across the District.

### **Market Conditions**

- 4.10 The combination of rising private rents and increasing house prices in Cannock Chase has created severe affordability pressures, making both renting and homeownership increasingly out of reach for many residents. The latest data from the on Office for

---

<sup>10</sup> Local authorities are legally required under the Housing Act 1996 (as amended by the Homelessness Act 2002) to give reasonable preference to those in the greatest housing need, ensuring fair and transparent allocation of social housing.

<sup>11</sup> The Prevention Duty places a duty on housing authorities to work with people who are threatened with homelessness within 56 days to help prevent them from becoming homelessness.

<sup>12</sup> The Relief Duty requires housing authorities to help people who are homeless to secure accommodation. The relief duty applies when a Local Authority is satisfied that an applicant is homeless and eligible for assistance.

National Statistics (ONS) reveals a worsening situation, underscoring the urgent need for an increase in affordable housing provision.

4.11 Private rents in Cannock Chase have continued to increase since the start of the 2019 LHNA period in 2018/19 and the 2024 HNA period in 2021/22, placing significant strain on lower-income households:

- Lower quartile private rents rose by 16% between 2018/19 (£475) and 2023/24 (£550), and by 5% since 2021/22 (£525).
- Median private rents increased by 23% over the same period, from £550 in 2018/19 to £675 in 2023/24, and by 8% since 2021/22 (£625).
- This growth in private rents, particularly at the lower end of the market, reflects intensifying affordability pressures and reduced access to secure, affordable housing for many households.

4.12 At the same time, house prices in Cannock Chase have risen, making homeownership increasingly unaffordable:

- Lower quartile house prices increased by 38% between 2018 (£125,000) and 2024 (£172,500), and by 8% since 2021 (£160,000). The lower quartile affordability ratio for Cannock Chase stood at 6.39 in 2024.
- Median house prices rose by 32% between 2018 (£165,000) and 2024 (£218,500), and by 9% since 2021 (£200,000). The median affordability ratio for Cannock Chase stood at 6.74 in 2024.
- The sharp increase in house prices since 2018, coupled with affordability ratios that remain well above typical mortgage lending thresholds of 4.5 times incomes, illustrates the growing disconnect between local incomes and the cost of homeownership in Cannock Chase.

4.13 The evidence demonstrates a clear need for increased affordable housing provision. Without intervention, affordability pressures will continue to push homeownership further out of reach and drive more residents into financial hardship, exacerbating housing insecurity across the District.

### **Five Year Supply of Affordable Housing**

4.14 The Council's revised trajectory (EXAM 38B) identifies a deliverable Five-Year Housing Land Supply (5YHLS) of 1,581 dwellings upon adoption of the plan (1 April 2025).

4.15 To estimate the likely affordable housing supply within this period, a review of the sites included in the 5YHLS has been undertaken using the same methodology applied to the full Local Plan period. A breakdown of the analysis is provided at **Appendix AH5**.

4.16 The analysis reveals that, based upon the Council's estimates of delivery from sites within its trajectory, the following levels of affordable supply can be anticipated over the five year period:

- Under the original submission policy: 312 gross affordable dwellings, equivalent to approximately 62 dwellings per annum
  - Under the revised (main modification) policy: 226 gross affordable dwellings, equivalent to just 45 dwellings per annum
- 4.17 Both of these figures fall substantially short of the level of need identified in the Council's 2024 HNA (356 net affordable dwellings per annum), amounting to just 17% and 13% of annual need respectively. They also fall demonstrably short of the 493 net affordable dwellings per annum figure if the existing shortfall were to be met over the next five years.
- 4.18 Moreover, these projections reflect gross additions only, and do not account for annual losses to the affordable housing stock through Right to Buy. When Right to Buy losses are factored in, net affordable housing delivery would be reduced to 33 dwellings per annum under the submission policy, and just 16 dwellings per annum under the main modification policy.
- 4.19 As set out in the **Comments on EXAM 38 and 38A–E** prepared by Emery Planning, the Council's claimed housing land supply is not agreed. Emery Planning has undertaken an alternative assessment of deliverable sites, with results provided at **Appendix AH6**.
- 4.20 Based on Emery Planning's revised trajectory, the following levels of affordable housing delivery are anticipated over the same five-year period:
- Under the original submission policy: 168 gross affordable dwellings, equivalent to approximately 34 dwellings per annum
  - Under the revised (main modification) policy: 116 gross affordable dwellings, equivalent to just 23 dwellings per annum
- 4.21 Again, these figures represent gross delivery only. When Right to Buy losses of 29 dwellings per annum are applied, this equates to:
- Submission policy scenario: net delivery of just 5 dwellings per annum
  - Main modification scenario: net loss of 6 dwellings per annum
- 4.22 This analysis confirms that, under the main modifications policy scenario, the Council's projected five-year supply could result in a net reduction in the overall affordable housing stock. No positive contribution to meeting affordable housing need would be made, and the policy would actively exacerbate existing shortfalls. This outcome starkly illustrates the inadequacy of both the original wording and proposed modifications and the absence of any robust strategy to ensure a meaningful uplift in affordable housing delivery.

## Conclusions

- 4.23 The evidence presented in this section demonstrates a severe and deepening crisis in affordable housing provision across Cannock Chase District. Current indicators, including

the Housing Register, homelessness statistics, and housing conditions, point to a substantial unmet need for genuinely affordable homes. These pressures are further exacerbated by worsening affordability across both the rental and ownership markets, with lower quartile rents and house prices rising significantly faster than incomes.

- 4.24 The projected delivery of affordable housing under both the submission and main modification versions of Policy SO3.2 is manifestly inadequate. Over the next five years, gross delivery would amount to just 62 dwellings per annum under the submission policy, and only 45 dwellings per annum under the main modifications. When adjusted for likely losses through Right to Buy, net delivery would fall to 33 and 16 dwellings per annum respectively.
- 4.25 Under Emery Planning's revised trajectory, these figures fall even further, with net delivery ranging from just 5 dwellings per annum to a **net loss** of 6 dwellings annually.
- 4.26 These projections are alarmingly out of step with the Council's own evidence base, which identifies a net need for 356 affordable dwellings per year. At best, just 17% of annual need would be met over the next five years; at worst, the affordable housing stock could actually decline. This would not only undermine the social objective of sustainable development set out in paragraph 8b of the NPPF, but also fundamentally breach the requirement at paragraph 61 to meet as much of an area's identified housing need as possible.
- 4.27 In light of this evidence, it is clear that neither the submitted nor modified version of Policy SO3.2 is capable of addressing the scale of need. The lack of any affordable housing target or delivery trajectory, combined with the failure to model or assess likely delivery outcomes, represents a serious deficiency in the Council's plan-making process. The proposed policy, particularly as modified, would actively entrench housing need and widen existing inequalities.
- 4.28 There is therefore a clear and compelling need for stronger delivery mechanisms, a higher level of ambition in the affordable housing policy, and additional site allocations to ensure that the Plan can meet its strategic objectives. Without these changes, the emerging Local Plan cannot be considered sound or legally compliant.

## 5. Summary and Recommendations

- 5.1 This Report has undertaken a comprehensive assessment of affordable housing delivery in Cannock Chase, drawing on the Council's emerging Local Plan evidence base, revised housing trajectory, and updated Housing Needs Assessments. It identifies a persistent and worsening shortfall in affordable housing delivery, with evidence pointing to both historical underperformance and inadequate future provision.
- 5.2 Since the start of the emerging Local Plan period in 2018/19, the District has delivered just 594 net affordable homes, an average of 99 per year, falling significantly short of the annual net need of 110 dwellings identified in the 2019 LHNA and drastically below the 356 net affordable homes per year required according to the 2024 HNA.
- 5.3 When measured against the 2024 HNA, this under-delivery has resulted in a cumulative shortfall of 683 affordable homes over just three years (2021/22 to 2023/24). If delivery continues at the projected rate under current original policy wording, the total shortfall against the 2024 HNA need will exceed 5,500 affordable homes by 2039/40.
- 5.4 The delivery of affordable housing under the Council's proposed main modifications would fall even further below the level of need. With a projected gross delivery of just 38 dwellings per annum and likely average annual losses of 29 homes through Right to Buy the District could see an average net gain of only nine affordable dwellings per year. In the context of a pressing and growing need, this scenario is clearly unacceptable.
- 5.5 Despite this, the Council has not set an affordable housing target or prepared a delivery trajectory against which to assess policy effectiveness. No modelling has been published to estimate how Policy SO3.2 will perform over the plan period, and the proposed main modifications (which would reduce affordable housing contributions across all zones) have not been subject to public consultation. These omissions represent serious procedural and evidential flaws.
- 5.6 The implications for plan soundness are stark. The Planning Practice Guidance makes clear that Local Plan policies must be underpinned by up-to-date evidence and capable of delivering against identified needs. Paragraphs 8b and 61 of the NPPF require plans to contribute to sustainable development by meeting the full range of housing needs. In its current form, the emerging Local Plan does not do so.
- 5.7 In light of this analysis, the following steps are recommended to ensure the Local Plan is capable of delivering a sound and legally robust approach to affordable housing:
- **Set an Affordable Housing Delivery Target:** A clear, numerical target should be included in the Local Plan, aligned to the 2024 HNA's identified need of 356 net affordable dwellings per annum. This target must be supported by a delivery trajectory and embedded within the Monitoring Framework.
  - **Revisit the Proposed Main Modifications:** The proposed changes to Policy SO3.2 materially weaken delivery and should not proceed without a full consultation and a detailed justification based on updated viability testing, taking account of recent boundary changes and the Council's strategic objectives.

- **Clarify the Basis for Affordable Housing Zones:** The Plan should be updated to reflect the 2023 ward boundary changes and correct the misleading references to individual wards in Policy SO3.2. A clear, accurate map of the policy zones must be provided to ensure consistent application and legal clarity.
- **Allocate Additional Deliverable Sites:** Without further allocations, the identified shortfall cannot be addressed. The Council should identify and allocate additional sites capable of delivering affordable housing at scale over Plan period.
- **Account for Losses to Affordable Stock:** The trajectory and policy framework must acknowledge and allow for consistent losses to the affordable housing stock through Right to Buy and other disposals, ensuring that net delivery figures form the basis of monitoring and review.

5.8 Without these changes, the emerging Local Plan is unlikely to deliver against its strategic objective of meeting local housing needs, or to comply with national policy. The scale of affordable housing need in Cannock Chase demands a policy response that is ambitious, evidence-led, and firmly grounded in the realities of delivery. A step change is now essential to avoid entrenching disadvantage and to ensure that communities across the District can access the decent, affordable homes they need.

## Appendix AH1:Data Tables

Table 1: Gross Additions to Affordable Housing Stock, 2018/19 to 2023/24

Monitoring Period	Total Housing Completions (net)	Gross Additions	Gross additions as a %age of total completions
2018/19	217	125	58%
2019/20	913	108	12%
2020/21	302	71	24%
2021/22	620	291	47%
2022/23	437	152	35%
2023/24	188	20	11%
<b>Totals</b>	<b>2,677</b>	<b>767</b>	<b>29%</b>
<b>Avg. Pa.</b>	<b>446</b>	<b>128</b>	<b>29%</b>

Source: MHCLG Open Data

Table 2: Net Additions to Affordable Housing Stock, 2018/19 to 2023/24 (detailed)

Monitoring Year	Total Housing Completions (net)	Gross Additions	LPA Right to Buy Sales	RP Right to Buy Sales	Net Additions	Net additions as a %age of total completions
2018/19	217	125	27	1	97	45%
2019/20	913	108	32	5	71	8%
2020/21	302	71	29	1	41	14%
2021/22	620	291	32	0	259	42%
2022/23	437	152	30	2	120	27%
2023/24	188	20	12	2	6	3%
<b>Total</b>	<b>2,677</b>	<b>767</b>	<b>162</b>	<b>11</b>	<b>594</b>	<b>22%</b>
<b>Avg. Pa.</b>	<b>446</b>	<b>128</b>	<b>27</b>	<b>2</b>	<b>99</b>	<b>22%</b>

Source: MHCLG Open Data

Table 3: Net Additions to Affordable Housing Stock, 2018/19 to 2023/24 (summary)

Monitoring Period	Gross Additions	Right to Buy Sales	Net Additions
2018/19	125	28	97
2019/20	108	37	71
2020/21	71	30	41
2021/22	291	32	259
2022/23	152	32	120
2023/24	20	14	6
<b>Totals</b>	<b>767</b>	<b>173</b>	<b>594</b>
<b>Avg. Pa.</b>	<b>128</b>	<b>29</b>	<b>99</b>

Source: MHCLG Open Data

Table 4: Net Additions Compared to Needs Identified in the 2019 HNA, 2018/19 to 2023/24

Monitoring Period	Net Additions	Net Need	Annual Shortfall	Cumulative Shortfall	Additions as a %age of Needs
2018/19	97	110	-13	-13	88%
2019/20	71	110	-39	-52	65%
2020/21	41	110	-69	-121	37%
2021/22	259	110	149	28	235%
2022/23	120	110	10	38	109%
2023/24	6	110	-104	-66	5%
Total	594	660	-66		90%
Avg. Pa	99	110	-11		

Source: MHCLG Open Data; and 2019 HNA

Table 5: Net Additions Compared to Needs Identified in the 2024 HNA, 2021/22 to 2023/24

Monitoring Period	Net Additions	Net Need	Annual Shortfall	Cumulative Shortfall	Additions as a %age of Needs
2021/22	259	356	-97	-97	73%
2022/23	120	356	-236	-333	34%
2023/24	6	356	-350	-683	2%
Total	385	1,068	-683		36%
Avg. Pa	128	356	-228		

Source: MHCLG Open Data; and 2024 HNA



## **Appendix AH2: Housing Trajectory Projected Affordable Housing Delivery by Site**

Turley Ref.	Site Allocation	SHLAA Site Ref	App Ref.	Site Name	2024 Ward	Policy Zone	Brown Field?	Capacity	Plan Remaining Period Delivery	Relevant Policy	AH Contribution Type	On Site AH %age		Projected Gross AH Dwellings over period		Source
												Sumission Threshold	Main Mods Threshold	Sumission Threshold	Main Mods Threshold	
T001	H1	C113c	CH/11/0395 CH/18/080	Land to the West of Pye Green Road, Hednesford	Hednesford Green Heath	Hednesford	No	481	118	Adopted Policy CP7	On Site	14%	14%	17	17	Planning Statement dated 22/11/2011
T002	H11	C457	CH/18/041	108, 102-106 High Green Court, Cannock	Cannock, Longford & Bridgtown	Cannock	Yes	10	0	Adopted Policy CP7	None - Prior Approval	0%	0%	0	0	n/a
T003	H12	C90b	CH/16/410 CH/17/195 CH/18/214	Whitelodge, New Penkridge Road, Cannock	Cannock Park & Old Fallow	Cannock	Yes	17	0	Adopted Policy CP7	None - Below threshold	0%	0%	0	0	Site size of individual permissions do not meet thresholds
T004	H17	C113f	SHLAA states site complete	Land west of Pye Green Road, Hednesford Cannock	Hednesford Green Heath	Hednesford	No	73	29	Adopted Policy CP7	None - C2	0%	0%	0	0	No application documentation online - asusmed from DoD
T005	H30	C64	CH/20/381	Land at Rawsley Road, Hazel Slade	Hednesford Hills & Rawsley ward	Hednesford	No	60	35	Adopted Policy CP7	On Site	100%	100%	35	35	S.106 dated 23/10/2023
T006	H44	C237	CH/20/173	268 Bradbury Lane, Hednesford	Hednesford Pye Green	Hednesford	Yes	10	0	Adopted Policy CP7	None - Below threshold	0%	0%	0	0	Net gain 9 units
T007	H55	C384	CH/20/208	77 Old Fallow Road, Cannock	Cannock Park & Old Fallow	Cannock	Yes	11	0	Adopted Policy CP7	On Site (assumed)	20%	20%	0	0	No application documentation online
T008	H57	C540a	SHLAA states site complete	Unit E Beecroft Court, Cannock, WS11 1JP	Cannock Park & Old Fallow	Cannock	Yes	20	0	Site completed						
T009	H25	R23	CH/18/016	Main Road, Brereton (between Cedar Tree Hotel and Library)	Brereton & Ravenhill	Rugeley	Yes	27	27	Adopted Policy CP7	None - COU	0%	0%	0	0	No affordable housing contributions secured on application documentation
T010	H16	C113g	CH/19/422	Land west of Pye Green Road, Hednesford Cannock	Hednesford Green Heath	Hednesford	No	51	51	Adopted Policy CP7	On Site	20%	20%	10	10	S.106 dated 28/04/2022
T011	H18	C63	CH/08/0165	Land adjacent and to the rear of 419-435, Cannock Road, Hednesford	Hednesford Green Heath	Hednesford	Yes	25	25	Adopted Policy CP7	On Site (assumed)	20%	20%	5	5	No application documentation online
T012	H45	C498	CH/20/128 CH/22/0191	23 Walsall Road, Cannock, WS11 0GA	Cannock Longford & Bridgtown	Cannock	Yes	12	12	Adopted Policy CP7	Off Site	0%	0%	0	0	Strategic Housing Comments dated 24/06/2022
T013	H58	C349	CH/23/0038	Cromwell House, Mill Street, Cannock, WS11 0DP	Cannock Longford & Bridgtown	Cannock	Yes	11	0	Adopted Policy CP7	None - COU	0%	0%	0	0	Application Form dated 23/12/2022
T014	M6	R143	None	Rugeley Market Hall and Bus Station, Rugeley	Western Springs	Rugeley	Yes	50	50	Emerging Policy SO3.2	Onsite (assumed)	25%	15%	13	8	Emerging Policy SO3.2
T015	M7	R144a	None	Land at Wellington Drive, Rugeley	Western Springs	Rugeley	Yes	20	20	Emerging Policy SO3.2	Onsite (assumed)	25%	15%	5	3	Emerging Policy SO3.2
T016	H24	R145	None	Market Street garages, Rugeley (incorporating BT telephone exchange)	Western Springs	Rugeley	Yes	28	28	Emerging Policy SO3.2	Onsite (assumed)	25%	15%	7	4	Emerging Policy SO3.2
T017	H27	R139	CH/15/0416	Heron Court, Heron Street, Rugeley	Western Springs	Rugeley	Yes	10	10	Adopted Policy CP7	None - Below threshold	0%	0%	0	0	No affordable housing contributions secured on application documentation
T018	H48	R9	CH/21/0022 CH/24/051	Former Aelfgar School, Taylors Lane, Rugeley	Western Springs	Rugeley	Yes	58	58	Adopted Policy CP7	On Site	20%	20%	12	12	Decision Notice dated 06/07/2021
T019	H29	C488	None	Land at 521 Pye Green Road, Hednesford, Cannock	Hednesford Green Heath	Hednesford	Partially	80	80	Emerging Policy SO3.2	Onsite (assumed)	30%	15%	24	12	Assumed Greenfield
T020	M1	C504	CH/23/0131	Multi Storey Car Park, Market Hall and Retail Units, Church Street, Cannock	Cannock Park & Old Fallow	Cannock	Yes	70	70	Adopted Policy CP7	None - C2	0%	0%	0	0	Strategic Housing Commnents dated 23/03/2023
T021	M5	C511a	None	Avon Road/Hallcourt Lane, Cannock	Cannock Longford & Bridgtown	Cannock	Yes	22	22	Emerging Policy SO3.2	Onsite (assumed)	20%	10%	4	2	Emerging Policy SO3.2
T022	H34	C81	None	Land at Chapel Street, Heath Hayes	Heath Hayes & Wimblebury	Norton Canes / Heath Hayes	No	20	20	Emerging Policy SO3.2	Onsite (assumed)	35%	20%	7	4	Emerging Policy SO3.2
T023	H35	C177	CH/21/0476	Land at Girtan Road/Spring Street, Cannock	Cannock Longford & Bridgtown	Cannock	No	24	24	Adopted Policy CP7	Combo (On site and Off site)	4%	4%	1	1	Committee Report dated 03/01/2023
T024	H36	C509	None	Park Road Offices, Cannock	Cannock Park & Old Fallow	Cannock	Yes	25	25	Emerging Policy SO3.2	Onsite (assumed)	20%	10%	5	3	Emerging Policy SO3.2
T025	H37	C510	None	Police Station Car Park, Cannock	Cannock Park & Old Fallow	Cannock	Yes	25	25	Emerging Policy SO3.2	Onsite (assumed)	20%	10%	5	3	Emerging Policy SO3.2
T026	H38	C86	None	Land at Walsall Road, Avon Road, Hunter Road, Hallcourt Lane, Cannock	Cannock Longford & Bridgtown	Cannock	Yes	24	24	Emerging Policy SO3.2	Onsite (assumed)	20%	10%	5	2	Emerging Policy SO3.2
T027	H39	C152	None	26 - 28 Wolverhampton Road, Cannock	Cannock Longford & Bridgtown	Cannock	Yes	25	25	Emerging Policy SO3.2	Onsite (assumed)	20%	10%	5	3	Emerging Policy SO3.2
T028	H40	C507	None	Danilo Road Car Park, Cannock	Cannock Longford & Bridgtown	Cannock	Yes	20	20	Emerging Policy SO3.2	Onsite (assumed)	20%	10%	4	2	Emerging Policy SO3.2
T029	M4	C508	None	Backcrofts Car Park, Cannock	Cannock Longford & Bridgtown	Cannock	Yes	20	20	Emerging Policy SO3.2	Onsite (assumed)	20%	10%	4	2	Emerging Policy SO3.2
T030	M2	C505	None	Park Road Bus Station, Cannock	Cannock Longford & Bridgtown	Cannock	Yes	15	15	Emerging Policy SO3.2	Onsite (assumed)	20%	10%	3	2	Emerging Policy SO3.2
T031	H43	C521	CH/24/091	243 Hill Street, Hednesford, Cannock, WS11 2DP	Heath Hayes & Wimblebury	Unclear - could be Hednesford or Norton Canes / Heath Hayes	Yes	13	13	Adopted Policy CP7	None - Below threshold	0%	0%	0	0	Application Form dated 23/07/2024 - nine dwellings
T032	H60	C553	CH/22/0058	41 Mill Street, Cannock, WS11 0DZ	Cannock Longford & Bridgtown	Cannock	Yes	15	15	Adopted Policy CP7	Off Site	0%	0%	0	0	Committee Report dated 12/10/2023
T033	H61	C557	None	Cannock Chase High School, Lower Site Campus, Hednesford Road, Cannock, WS11 1JT	Cannock Park & Old Fallow	Cannock	Yes	0	0	Emerging Policy SO3.2	Onsite (assumed)	20%	10%	0	0	Emerging Policy SO3.2
T034	H62	C558	None	Springvale Area Service Office, Walhouse Street, Cannock, WS11 0DY	Cannock Longford & Bridgtown	Cannock	Yes	10	10	Emerging Policy SO3.2	Onsite (assumed)	20%	10%	2	1	Emerging Policy SO3.2
T035	H63	C127	None	Former Rumer Hill Industrial Estate, Cannock	Hawks Green with Rumer Hill / Cannock, Longford & Bridgtown	Cannock	Yes	99	99	Emerging Policy SO3.2	Onsite (assumed)	20%	10%	20	10	Emerging Policy SO3.2
T036	H65	C469	CH/22/0419	A Dunford and Son, Brindley Heath Road, Cannock	Hednesford Pye Green	Hednesford	Yes	15	15	Adopted Policy CP7	Off Site	0%	0%	0	0	Committee Report dated 06/11/2023
T037	H66	C511b	None	Land at the corner of Avon Road and Hunter Road, Cannock	Cannock Longford & Bridgtown	Cannock	Yes	18	18	Emerging Policy SO3.2	Onsite (assumed)	20%	10%	4	2	Emerging Policy SO3.2
T038	H49	R18	None	Land at The Mossley, off Armitage Road	Western Springs	Rugeley	Yes	40	40	Emerging Policy SO3.2	Onsite (assumed)	25%	15%	10	6	Emerging Policy SO3.2
T039	H50	R25	None	Nursery Fields, St Michaels Road, Brereton	Brereton & Ravenhill	Rugeley	Yes	35	35	Emerging Policy SO3.2	Onsite (assumed)	25%	15%	9	5	Emerging Policy SO3.2
T040	H51	R208	CH/21/0023	Castle Inn, 141 Main Road, Brereton, Rugeley, WS15 1DX	Brereton & Ravenhill	Rugeley	Yes	27	27	Adopted Policy CP7	On Site	22%	22%	6	6	S.106 dated 12/02/2024
T041	H52	R22	None	Gregory Works, Armitage Road, Brereton	Brereton & Ravenhill	Rugeley	Yes	23	23	Emerging Policy SO3.2	Onsite (assumed)	25%	15%	6	3	Emerging Policy SO3.2
T042	H53	R189	None	Land off Lichfield Street, Rugeley	Western Springs	Rugeley	Yes	20	20	Emerging Policy SO3.2	Onsite (assumed)	25%	15%	5	3	Emerging Policy SO3.2
T043	H64	R144b	None	The Fairway Motel, Horse Fair, Rugeley, WS15 2EJ	Western Springs	Rugeley	Yes	17	17	Emerging Policy SO3.2	Onsite (assumed)	25%	15%	4	3	Emerging Policy SO3.2
T044	H67	R227	CH/22/0098	Land at Pendlebury Garage and Petrol Station, S Wolseley Road, Rugeley	Western Springs	Rugeley	Yes	18	18	Adopted Policy CP7	Off Site	0%	0%	0	0	S.106 dated 03/07/2023

T045	H68	N13b	CH/22/0318	Land off Norton Hall Lane, Norton Canes	Norton Canes	Norton Canes / Heath Hayes	Yes	55	30	Adopted Policy CP7	On Site	15%	15%	5	5	S.106 dated 13/12/2023
T046	H69	N67b	CH/22/0233	272 Hednesford Road, Norton Canes	Norton Canes	Norton Canes / Heath Hayes	Yes	11	11	Adopted Policy CP7	Off Site	0%	0%	0	0	Officer Report dated 18/03/2024
T047	SH1	C116a	None	Land south of A5190, Lichfield Road, Heath Hayes (Phase 1)	Norton Canes	Norton Canes / Heath Hayes	No	700	700	Emerging Policy SO3.2	Onsite (assumed)	35%	20%	245	140	Emerging Policy SO3.2
T048	SH2	C279a (C84)	None	Land to the East of Wimblebury Road, Heath Hayes	Heath Hayes & Wimblebury	Unclear - could be Hednesford or Norton Canes / Heath Hayes	No	435	435	Emerging Policy SO3.2	Onsite (assumed)	35%	20%	152	87	Assumed North Canes and Heath Hayes Zone
T049	SH3	C121	None	Land to the rear of Longford House, Watling Street, Cannock	Cannock Longford & Bridgtown	Cannock	No	45	45	Emerging Policy SO3.2	Onsite (assumed)	20%	15%	9	7	Emerging Policy SO3.2
T050	SH6	R221	None	Former Hart School, Burnthill Road, Rugeley (Hagley Park)	Western Springs	Rugeley	Partially	145	145	Emerging Policy SO3.2	Onsite (assumed)	35%	20%	51	29	Assumed Greenfield
T051	SM1	R127	CH/19/201	Rugeley Power Station, Rugeley	Western Springs	Rugeley	Partially	1,000	1,000	Adopted Policy CP7	On Site	17%	17%	170	170	Draft Heads of Terms dated 28/11/2019
T052	Minors	Various		Small Sites Under Construction				89	59	n/a	None - Below threshold	0%	0%	0	0	Emerging Policy SO3.2
T053	Minors	Various		Small Sites With P/P (77) and O/P (13) 18% non-implementation				90	74	n/a	None - Below threshold	0%	0%	0	0	Emerging Policy SO3.2
T054	Minors	None		Small Site Windfall Allowance 27 dpa from year 6					324	n/a	None - Below threshold	0%	0%	0	0	Emerging Policy SO3.2
Totals								4,006						867	604	
Per Annum								250						54	38	

## Appendix AH3: Delivery vs 2019 LHNA Need – Original Policy Scenario

*Table 1: Actual and Projected Additions (original policy wording) to Affordable Housing Stock Compared to Affordable Needs Identified in the 2019 LHNA, 2018/19 to 2039/40*

Monitoring Period	Additions to AH Stock		Net Need (Pa.)	Shortfall	Cumulative shortfall	Additions as a %age of Needs
	Actual (Net)	Projected (Gross)				
2018/19	97		110	-13	-13	88%
2019/20	71		110	-39	-52	65%
2020/21	41		110	-69	-121	37%
2021/22	259		110	149	28	235%
2022/23	120		110	10	38	109%
2023/24	6		110	-104	-66	5%
2024/25		54	110	-56	-122	49%
2025/26		54	110	-56	-178	49%
2026/27		54	110	-56	-234	49%
2027/28		54	110	-56	-290	49%
2028/29		54	110	-56	-346	49%
2029/30		54	110	-56	-402	49%
2030/31		54	110	-56	-458	49%
2031/32		54	110	-56	-514	49%
2032/33		54	110	-56	-570	49%
2033/34		54	110	-56	-626	49%
2034/35		54	110	-56	-682	49%
2035/36		54	110	-56	-738	49%
2036/37		54	110	-56	-794	49%
2037/38		54	110	-56	-850	49%
2038/39		54	110	-56	-906	49%
2039/40		54	110	-56	-962	49%
Totals	1,458		2,420	-962		60%
Avg. Pa	66		110	-44		

Source: MHCLG Open Data; Submission version of the Local Plan (SD1); Housing Trajectory Proposed Modifications Version (EXAM 38B); 2019 LHNA; and Cannock Chase Public Access.

## Appendix AH4: Delivery vs 2019 LHNA Need – Main Modifications Scenario

*Table 1: Actual and Projected Additions (main modifications policy wording) to Affordable Housing Stock Compared to Affordable Needs Identified in the 2019 LHNA, 2018/19 to 2039/40*

Monitoring Period	Additions to AH Stock		Net Need (Pa.)	Shortfall	Cumulative shortfall	Additions as a %age of Needs
	Actual (Net)	Projected (Gross)				
2018/19	97		110	-13	-13	88%
2019/20	71		110	-39	-52	65%
2020/21	41		110	-69	-121	37%
2021/22	259		110	149	28	235%
2022/23	120		110	10	38	109%
2023/24	6		110	-104	-66	5%
2024/25		38	110	-72	-138	35%
2025/26		38	110	-72	-210	35%
2026/27		38	110	-72	-282	35%
2027/28		38	110	-72	-354	35%
2028/29		38	110	-72	-426	35%
2029/30		38	110	-72	-498	35%
2030/31		38	110	-72	-570	35%
2031/32		38	110	-72	-642	35%
2032/33		38	110	-72	-714	35%
2033/34		38	110	-72	-786	35%
2034/35		38	110	-72	-858	35%
2035/36		38	110	-72	-930	35%
2036/37		38	110	-72	-1,002	35%
2037/38		38	110	-72	-1,074	35%
2038/39		38	110	-72	-1,146	35%
2039/40		38	110	-72	-1,218	35%
Totals	1,202		2,420	-1,218		50%
Avg. Pa	55		110	-55		

Source: MHCLG Open Data; Submission version of the Local Plan (SD1); 2024 Viability Addendum (EC10); Housing Trajectory Proposed Mods Version (EXAM 38B); 2019 LHNA; and Cannock Chase Public Access.

## **Appendix AH5: Five-Year Affordable Housing Supply – Council Trajectory**

Turley Ref.	Site Allocation	SHLAA Site Ref	App Ref.	Site Name	2024 Ward	Policy Zone	Brown Field?	Capacity	Supply over 5 Year period	Relevant Policy	AH Contribution Type	On Site AH %age		Projected Gross AH		Source
												2022 Thresholds	2024 Thresholds	2022 Thresholds	2024 Thresholds	
T001	H1	C113c	CH/11/0395 CH/18/080	Land to the West of Pye Green Road, Hednesford	Hednesford Green Heath	Hednesford	No	481	68	Adopted Policy CP7	On Site	14%	14%	10	10	Planning Statement dated 22/11/2011
T002	H11	C457	CH/18/041	108, 102-106 High Green Court, Cannock	Cannock, Longford & Bridgtown	Cannock	Yes	10	0	Adopted Policy CP7	None - Prior Approval	0%	0%	0	0	n/a
T003	H12	C90b	CH/16/410 CH/17/195 CH/18/214	Whitelodge, New Penkridge Road, Cannock	Cannock Park & Old Fallow	Cannock	Yes	17	0	Adopted Policy CP7	None - Below threshold	0%	0%	0	0	Site size of individual permissions do not meet thresholds
T004	H17	C113f	SHLAA states site complete	Land west of Pye Green Road, Hednesford Cannock	Hednesford Green Heath	Hednesford	No	73	0	Adopted Policy CP7	None - C2	0%	0%	0	0	No application documentation online - asusmed from DoD
T005	H30	C64	CH/20/381	Land at Rawsley Road, Hazel Slade	Hednesford Hills & Rawsley ward	Hednesford	No	60	10	Adopted Policy CP7	On Site	100%	100%	10	10	S.106 dated 23/10/2023
T006	H44	C237	CH/20/173	268 Bradbury Lane, Hednesford	Hednesford Pye Green	Hednesford	Yes	10	0	Adopted Policy CP7	None - Below threshold	0%	0%	0	0	Net gain 9 units
T007	H55	C384	CH/20/208	77 Old Fallow Road, Cannock	Cannock Park & Old Fallow	Cannock	Yes	11	0	Adopted Policy CP7	On Site (assumed)	20%	20%	0	0	No application documentation online
T008	H57	C540a	SHLAA states site complete	Unit E Beecroft Court, Cannock, WS11 1JP	Cannock Park & Old Fallow	Cannock	Yes	20	0	Site completed						
T009	H25	R23	CH/18/016	Main Road, Brereton (between Cedar Tree Hotel and Library)	Brereton & Ravenhill	Rugeley	Yes	27	13	Adopted Policy CP7	None - COU	0%	0%	0	0	No affordable housing contributions secured on application documentation
T010	H16	C113g	CH/19/422	Land west of Pye Green Road, Hednesford Cannock	Hednesford Green Heath	Hednesford	No	51	51	Adopted Policy CP7	On Site	20%	20%	10	10	S.106 dated 28/04/2022
T011	H18	C63	CH/08/0165	Land adjacent and to the rear of 419-435, Cannock Road, Hednesford	Hednesford Green Heath	Hednesford	Yes	25	0	Adopted Policy CP7	On Site (assumed)	20%	20%	0	0	No application documentation online
T012	H45	C498	CH/20/128 CH/22/0191	23 Walsall Road, Cannock, WS11 0GA	Cannock Longford & Bridgtown	Cannock	Yes	12	12	Adopted Policy CP7	Off Site	0%	0%	0	0	Strategic Housing Comments dated 24/06/2022
T013	H58	C349	CH/23/0038	Cromwell House, Mill Street, Cannock, WS11 ODP	Cannock Longford & Bridgtown	Cannock	Yes	11	0	Adopted Policy CP7	None - COU	0%	0%	0	0	Application Form dated 23/12/2022
T014	M6	R143	None	Rugeley Market Hall and Bus Station, Rugeley	Western Springs	Rugeley	Yes	50	25	Emerging Policy SO3.2	Onsite (assumed)	25%	15%	6	4	Emerging Policy SO3.2
T015	M7	R144a	None	Land at Wellington Drive, Rugeley	Western Springs	Rugeley	Yes	20	0	Emerging Policy SO3.2	Onsite (assumed)	25%	15%	0	0	Emerging Policy SO3.2
T016	H24	R145	None	Market Street garages, Rugeley (incorporating BT telephone exchange)	Western Springs	Rugeley	Yes	28	0	Emerging Policy SO3.2	Onsite (assumed)	25%	15%	0	0	Emerging Policy SO3.2
T017	H27	R139	CH/15/0416	Heron Court, Heron Street, Rugeley	Western Springs	Rugeley	Yes	10	0	Adopted Policy CP7	None - Below threshold	0%	0%	0	0	No affordable housing contributions secured on application documentation
T018	H48	R9	CH/21/0022 CH/24/051	Former Aelfgar School, Taylors Lane, Rugeley	Western Springs	Rugeley	Yes	58	58	Adopted Policy CP7	On Site	20%	20%	12	12	Decision Notice dated 06/07/2021
T019	H29	C488	None	Land at 521 Pye Green Road, Hednesford, Cannock	Hednesford Green Heath	Hednesford	Partially	80	38	Emerging Policy SO3.2	Onsite (assumed)	30%	15%	11	6	Assumed Greenfield
T020	M1	C504	CH/23/0131	Multi Storey Car Park, Market Hall and Retail Units, Church Street, Cannock	Cannock Park & Old Fallow	Cannock	Yes	70	60	Adopted Policy CP7	None - C2	0%	0%	0	0	Strategic Housing Commnets dated 23/03/2023
T021	M5	C511a	None	Avon Road/Hallcourt Lane, Cannock	Cannock Longford & Bridgtown	Cannock	Yes	22	0	Emerging Policy SO3.2	Onsite (assumed)	20%	10%	0	0	Emerging Policy SO3.2
T022	H34	C81	None	Land at Chapel Street, Heath Hayes	Heath Hayes & Wimblebury	Norton Canes / Heath Hayes	No	20	0	Emerging Policy SO3.2	Onsite (assumed)	35%	20%	0	0	Emerging Policy SO3.2
T023	H35	C177	CH/21/0476	Land at Girton Road/Spring Street, Cannock	Cannock Longford & Bridgtown	Cannock	No	24	24	Adopted Policy CP7	Combo (On site and Off site)	4%	4%	1	1	Committee Report dated 03/01/2023
T024	H36	C509	None	Park Road Offices, Cannock	Cannock Park & Old Fallow	Cannock	Yes	25	0	Emerging Policy SO3.2	Onsite (assumed)	20%	10%	0	0	Emerging Policy SO3.2
T025	H37	C510	None	Police Station Car Park, Cannock	Cannock Park & Old Fallow	Cannock	Yes	25	0	Emerging Policy SO3.2	Onsite (assumed)	20%	10%	0	0	Emerging Policy SO3.2
T026	H38	C86	None	Land at Walsall Road, Avon Road, Hunter Road, Hallcourt Lane, Cannock	Cannock Longford & Bridgtown	Cannock	Yes	24	24	Emerging Policy SO3.2	Onsite (assumed)	20%	10%	5	2	Emerging Policy SO3.2
T027	H39	C152	None	26 - 28 Wolverhampton Road, Cannock	Cannock Longford & Bridgtown	Cannock	Yes	25	0	Emerging Policy SO3.2	Onsite (assumed)	20%	10%	0	0	Emerging Policy SO3.2
T028	H40	C507	None	Danilo Road Car Park, Cannock	Cannock Longford & Bridgtown	Cannock	Yes	20	20	Emerging Policy SO3.2	Onsite (assumed)	20%	10%	4	2	Emerging Policy SO3.2
T029	M4	C508	None	Backcrofts Car Park, Cannock	Cannock Longford & Bridgtown	Cannock	Yes	20	0	Emerging Policy SO3.2	Onsite (assumed)	20%	10%	0	0	Emerging Policy SO3.2
T030	M2	C505	None	Park Road Bus Station, Cannock	Cannock Longford & Bridgtown	Cannock	Yes	15	15	Emerging Policy SO3.2	Onsite (assumed)	20%	10%	3	2	Emerging Policy SO3.2
T031	H43	C521	CH/24/091	243 Hill Street, Hednesford, Cannock, WS11 2DP	Heath Hayes & Wimblebury	Unclear - could be Hednesford or Norton Canes / Heath Hayes	Yes	13	0	Adopted Policy CP7	None - Below threshold	0%	0%	0	0	Application Form dated 23/07/2024 - nine dwellings
T032	H60	C553	CH/22/0058	41 Mill Street, Cannock, WS11 0DZ	Cannock Longford & Bridgtown	Cannock	Yes	15	0	Adopted Policy CP7	Off Site	0%	0%	0	0	Committee Report dated 12/10/2023
T033	H61	C557	None	Cannock Chase High School, Lower Site Campus, Hednesford Road, Cannock, WS11 1JT	Cannock Park & Old Fallow	Cannock	Yes	0	0	Emerging Policy SO3.2	Onsite (assumed)	20%	10%	0	0	Emerging Policy SO3.2
T034	H62	C558	None	Springvale Area Service Office, Walhouse Street, Cannock, WS11 0DY	Cannock Longford & Bridgtown	Cannock	Yes	10	0	Emerging Policy SO3.2	Onsite (assumed)	20%	10%	0	0	Emerging Policy SO3.2
T035	H63	C127	None	Former Rumer Hill Industrial Estate, Cannock	Hawks Green with Rumer Hill / Cannock, Longford & Bridgtown	Cannock	Yes	99	75	Emerging Policy SO3.2	Onsite (assumed)	20%	10%	15	8	Emerging Policy SO3.2
T036	H65	C469	CH/22/0419	A Dunford and Son, Brindley Heath Road, Cannock	Hednesford Pye Green	Hednesford	Yes	15	15	Adopted Policy CP7	Off Site	0%	0%	0	0	Committee Report dated 06/11/2023
T037	H66	C511b	None	Land at the corner of Avon Road and Hunter Road, Cannock	Cannock Longford & Bridgtown	Cannock	Yes	18	18	Emerging Policy SO3.2	Onsite (assumed)	20%	10%	4	2	Emerging Policy SO3.2
T038	H49	R18	None	Land at The Mossley, off Armitage Road	Western Springs	Rugeley	Yes	40	40	Emerging Policy SO3.2	Onsite (assumed)	25%	15%	10	6	Emerging Policy SO3.2
T039	H50	R25	None	Nursery Fields, St Michaels Road, Brereton	Brereton & Ravenhill	Rugeley	Yes	35	35	Emerging Policy SO3.2	Onsite (assumed)	25%	15%	9	5	Emerging Policy SO3.2
T040	H51	R208	CH/21/0023	Castle Inn, 141 Main Road, Brereton, Rugeley, WS15 1DX	Brereton & Ravenhill	Rugeley	Yes	27	27	Adopted Policy CP7	On Site	22%	22%	6	6	S.106 dated 12/02/2024
T041	H52	R22	None	Gregory Works, Armitage Road, Brereton	Brereton & Ravenhill	Rugeley	Yes	23	23	Emerging Policy SO3.2	Onsite (assumed)	25%	15%	6	3	Emerging Policy SO3.2
T042	H53	R189	None	Land off Lichfield Street, Rugeley	Western Springs	Rugeley	Yes	20	20	Emerging Policy SO3.2	Onsite (assumed)	25%	15%	5	3	Emerging Policy SO3.2
T043	H64	R144b	None	The Fairway Motel, Horse Fair, Rugeley, WS15 2EJ	Western Springs	Rugeley	Yes	17	17	Emerging Policy SO3.2	Onsite (assumed)	25%	15%	4	3	Emerging Policy SO3.2

T044	H67	R227	CH/22/0098	Land at Pendlebury Garage and Petrol Station, 5 Wolseley Road, Rugeley	Western Springs	Rugeley	Yes	18	0	Adopted Policy CP7	Off Site	0%	0%	0	0	S.106 dated 03/07/2023
T045	H68	N13b	CH/22/0318	Land off Norton Hall Lane, Norton Canes	Norton Canes	Norton Canes / Heath Hayes	Yes	55	0	Adopted Policy CP7	On Site	15%	15%	0	0	S.106 dated 13/12/2023
T046	H69	N67b	CH/22/0233	272 Hednesford Road, Norton Canes	Norton Canes	Norton Canes / Heath Hayes	Yes	11	11	Adopted Policy CP7	Off Site	0%	0%	0	0	Officer Report dated 18/03/2024
T047	SH1	C116a	None	Land south of A5190, Lichfield Road, Heath Hayes (Phase 1)	Norton Canes	Norton Canes / Heath Hayes	No	700	200	Emerging Policy SO3.2	Onsite (assumed)	35%	20%	70	40	Emerging Policy SO3.2
T048	SH2	C279a (C84)	None	Land to the East of Wimblebury Road, Heath Hayes	Heath Hayes & Wimblebury	Unclear - could be Hednesford or Norton Canes / Heath Hayes	No	435	125	Emerging Policy SO3.2	Onsite (assumed)	35%	20%	44	25	Assumed Norton Zone
T049	SH3	C121	None	Land to the rear of Longford House, Watling Street, Cannock	Cannock Longford & Bridgtown	Cannock	No	45	0	Emerging Policy SO3.2	Onsite (assumed)	20%	15%	0	0	Emerging Policy SO3.2
T050	SH6	R221	None	Former Hart School, Burnthill Road, Rugeley (Hagley Park)	Western Springs	Rugeley	Partially	145	0	Emerging Policy SO3.2	Onsite (assumed)	35%	20%	0	0	Assumed Greenfield
T051	SM1	R127	CH/19/201	Rugeley Power Station, Rugeley	Western Springs	Rugeley	Partially	1000	400	Adopted Policy CP7	On Site	17%	17%	68	68	Draft Heads of Terms dated 28/11/2019
T052	Minors	Various		Small Sites Under Construction				89	29	n/a	None - Below threshold	0%	0%	0	0	Emerging Policy SO3.2
T053	Minors	Various		Small Sites With P/P (77) and O/P (13) 18% non-implementation				90	74	n/a	None - Below threshold	0%	0%	0	0	Emerging Policy SO3.2
T054	Minors	None		Small Site Windfall Allowance 27 dpa from year 6					54	n/a	None - Below threshold	0%	0%	0	0	Emerging Policy SO3.2
Totals									1,581					312	226	
Per Annum									316					62	45	



## **Appendix AH6: Five-Year Affordable Housing Supply – Emery Planning Trajectory**

Turley Ref.	Site Allocation	SHLAA Site Ref	App Ref.	Site Name	2024 Ward	Policy Zone	Brown Field?	Capacity	Supply over 5 Year period	Relevant Policy	AH Contribution Type	On Site AH %age		Projected Gross AH		Source
												2022 Thresholds	2024 Thresholds	2022 Thresholds	2024 Thresholds	
T001	H1	C113c	CH/11/0395 CH/18/080	Land to the West of Pye Green Road, Hednesford	Hednesford Green Heath	Hednesford	No	481	68	Adopted Policy CP7	On Site	14%	14%	10	10	Planning Statement dated 22/11/2011
T002	H11	C457	CH/18/041	108, 102-106 High Green Court, Cannock	Cannock, Longford & Bridgtown	Cannock	Yes	10	0	Adopted Policy CP7	None - Prior Approval	0%	0%	0	0	n/a
T003	H12	C90b	CH/16/410 CH/17/195 CH/18/214	Whitelodge, New Penkridge Road, Cannock	Cannock Park & Old Fallow	Cannock	Yes	17	0	Adopted Policy CP7	None - Below threshold	0%	0%	0	0	Site size of individual permissions do not meet thresholds
T004	H17	C113f	SHLAA states site complete	Land west of Pye Green Road, Hednesford Cannock	Hednesford Green Heath	Hednesford	No	73	0	Adopted Policy CP7	None - C2	0%	0%	0	0	No application documentation online - asusmed from DoD
T005	H30	C64	CH/20/381	Land at Rawsley Road, Hazel Slade	Hednesford Hills & Rawsley ward	Hednesford	No	60	10	Adopted Policy CP7	On Site	100%	100%	10	10	S.106 dated 23/10/2023
T006	H44	C237	CH/20/173	268 Bradbury Lane, Hednesford	Hednesford Pye Green	Hednesford	Yes	10	0	Adopted Policy CP7	None - Below threshold	0%	0%	0	0	Net gain 9 units
T007	H55	C384	CH/20/208	77 Old Fallow Road, Cannock	Cannock Park & Old Fallow	Cannock	Yes	11	0	Adopted Policy CP7	On Site (assumed)	20%	20%	0	0	No application documentation online
T008	H57	C540a	SHLAA states site complete	Unit E Beecroft Court, Cannock, WS11 1JP	Cannock Park & Old Fallow	Cannock	Yes	20	0	Site completed						
T009	H25	R23	CH/18/016	Main Road, Brereton (between Cedar Tree Hotel and Library)	Brereton & Ravenhill	Rugeley	Yes	27	13	Adopted Policy CP7	None - COU	0%	0%	0	0	No affordable housing contributions secured on application documentation
T010	H16	C113g	CH/19/422	Land west of Pye Green Road, Hednesford Cannock	Hednesford Green Heath	Hednesford	No	51	47	Adopted Policy CP7	On Site	20%	20%	9	9	S.106 dated 28/04/2022
T011	H18	C63	CH/08/0165	Land adjacent and to the rear of 419-435, Cannock Road, Hednesford	Hednesford Green Heath	Hednesford	Yes	25	0	Adopted Policy CP7	On Site (assumed)	20%	20%	0	0	No application documentation online
T012	H45	C498	CH/20/128 CH/22/0191	23 Walsall Road, Cannock, WS11 0GA	Cannock Longford & Bridgtown	Cannock	Yes	12	12	Adopted Policy CP7	Off Site	0%	0%	0	0	Strategic Housing Comments dated 24/06/2022
T013	H58	C349	CH/23/0038	Cromwell House, Mill Street, Cannock, WS11 0DP	Cannock Longford & Bridgtown	Cannock	Yes	11	0	Adopted Policy CP7	None - COU	0%	0%	0	0	Application Form dated 23/12/2022
T014	M6	R143	None	Rugeley Market Hall and Bus Station, Rugeley	Western Springs	Rugeley	Yes	50	0	Emerging Policy SO3.2	Onsite (assumed)	25%	15%	0	0	Emerging Policy SO3.2
T015	M7	R144a	None	Land at Wellington Drive, Rugeley	Western Springs	Rugeley	Yes	20	0	Emerging Policy SO3.2	Onsite (assumed)	25%	15%	0	0	Emerging Policy SO3.2
T016	H24	R145	None	Market Street garages, Rugeley (incorporating BT telephone exchange)	Western Springs	Rugeley	Yes	28	0	Emerging Policy SO3.2	Onsite (assumed)	25%	15%	0	0	Emerging Policy SO3.2
T017	H27	R139	CH/15/0416	Heron Court, Heron Street, Rugeley	Western Springs	Rugeley	Yes	10	0	Adopted Policy CP7	None - Below threshold	0%	0%	0	0	No affordable housing contributions secured on application documentation
T018	H48	R9	CH/21/0022 CH/24/051	Former Aelfgar School, Taylors Lane, Rugeley	Western Springs	Rugeley	Yes	58	58	Adopted Policy CP7	On Site	20%	20%	12	12	Decision Notice dated 06/07/2021
T019	H29	C488	None	Land at 521 Pye Green Road, Hednesford, Cannock	Hednesford Green Heath	Hednesford	Partially	80	0	Emerging Policy SO3.2	Onsite (assumed)	30%	15%	0	0	Assumed Greenfield
T020	M1	C504	CH/23/0131	Multi Storey Car Park, Market Hall and Retail Units, Church Street, Cannock	Cannock Park & Old Fallow	Cannock	Yes	70	0	Adopted Policy CP7	None - C2	0%	0%	0	0	Strategic Housing Commnets dated 23/03/2023
T021	M5	C511a	None	Avon Road/Hallcourt Lane, Cannock	Cannock Longford & Bridgtown	Cannock	Yes	22	0	Emerging Policy SO3.2	Onsite (assumed)	20%	10%	0	0	Emerging Policy SO3.2
T022	H34	C81	None	Land at Chapel Street, Heath Hayes	Heath Hayes & Wimblebury	Norton Canes / Heath Hayes	No	20	0	Emerging Policy SO3.2	Onsite (assumed)	35%	20%	0	0	Emerging Policy SO3.2
T023	H35	C177	CH/21/0476	Land at Girtton Road/Spring Street, Cannock	Cannock Longford & Bridgtown	Cannock	No	24	0	Adopted Policy CP7	Combo (On site and Off site)	4%	4%	0	0	Committee Report dated 03/01/2023
T024	H36	C509	None	Park Road Offices, Cannock	Cannock Park & Old Fallow	Cannock	Yes	25	0	Emerging Policy SO3.2	Onsite (assumed)	20%	10%	0	0	Emerging Policy SO3.2
T025	H37	C510	None	Police Station Car Park, Cannock	Cannock Park & Old Fallow	Cannock	Yes	25	0	Emerging Policy SO3.2	Onsite (assumed)	20%	10%	0	0	Emerging Policy SO3.2
T026	H38	C86	None	Land at Walsall Road, Avon Road, Hunter Road, Hallcourt Lane, Cannock	Cannock Longford & Bridgtown	Cannock	Yes	24	0	Emerging Policy SO3.2	Onsite (assumed)	20%	10%	0	0	Emerging Policy SO3.2
T027	H39	C152	None	26 - 28 Wolverhampton Road, Cannock	Cannock Longford & Bridgtown	Cannock	Yes	25	0	Emerging Policy SO3.2	Onsite (assumed)	20%	10%	0	0	Emerging Policy SO3.2
T028	H40	C507	None	Danilo Road Car Park, Cannock	Cannock Longford & Bridgtown	Cannock	Yes	20	0	Emerging Policy SO3.2	Onsite (assumed)	20%	10%	0	0	Emerging Policy SO3.2
T029	M4	C508	None	Backcrofts Car Park, Cannock	Cannock Longford & Bridgtown	Cannock	Yes	20	0	Emerging Policy SO3.2	Onsite (assumed)	20%	10%	0	0	Emerging Policy SO3.2
T030	M2	C505	None	Park Road Bus Station, Cannock	Cannock Longford & Bridgtown	Cannock	Yes	15	0	Emerging Policy SO3.2	Onsite (assumed)	20%	10%	0	0	Emerging Policy SO3.2
T031	H43	C521	CH/24/091	243 Hill Street, Hednesford, Cannock, WS11 2DP	Heath Hayes & Wimblebury	Unclear - could be Hednesford or Norton Canes / Heath Hayes	Yes	13	0	Adopted Policy CP7	None - Below threshold	0%	0%	0	0	Application Form dated 23/07/2024 - nine dwellings
T032	H60	C553	CH/22/0058	41 Mill Street, Cannock, WS11 0DZ	Cannock Longford & Bridgtown	Cannock	Yes	15	0	Adopted Policy CP7	Off Site	0%	0%	0	0	Committee Report dated 12/10/2023
T033	H61	C557	None	Cannock Chase High School, Lower Site Campus, Hednesford Road, Cannock, WS11 1JT	Cannock Park & Old Fallow	Cannock	Yes	0	0	Emerging Policy SO3.2	Onsite (assumed)	20%	10%	0	0	Emerging Policy SO3.2
T034	H62	C558	None	Springvale Area Service Office, Walhouse Street, Cannock, WS11 0DY	Cannock Longford & Bridgtown	Cannock	Yes	10	0	Emerging Policy SO3.2	Onsite (assumed)	20%	10%	0	0	Emerging Policy SO3.2
T035	H63	C127	None	Former Rumer Hill Industrial Estate, Cannock	Hawks Green with Rumer Hill / Cannock, Longford & Bridgtown	Cannock	Yes	99	0	Emerging Policy SO3.2	Onsite (assumed)	20%	10%	0	0	Emerging Policy SO3.2
T036	H65	C469	CH/22/0419	A Dunford and Son, Brindley Heath Road, Cannock	Hednesford Pye Green	Hednesford	Yes	15	0	Adopted Policy CP7	Off Site	0%	0%	0	0	Committee Report dated 06/11/2023
T037	H66	C511b	None	Land at the corner of Avon Road and Hunter Road, Cannock	Cannock Longford & Bridgtown	Cannock	Yes	18	18	Emerging Policy SO3.2	Onsite (assumed)	20%	10%	4	2	Emerging Policy SO3.2
T038	H49	R18	None	Land at The Mossley, off Armitage Road	Western Springs	Rugeley	Yes	40	0	Emerging Policy SO3.2	Onsite (assumed)	25%	15%	0	0	Emerging Policy SO3.2
T039	H50	R25	None	Nursery Fields, St Michaels Road, Brereton	Brereton & Ravenhill	Rugeley	Yes	35	0	Emerging Policy SO3.2	Onsite (assumed)	25%	15%	0	0	Emerging Policy SO3.2
T040	H51	R208	CH/21/0023	Castle Inn, 141 Main Road, Brereton, Rugeley, WS15 1DX	Brereton & Ravenhill	Rugeley	Yes	27	27	Adopted Policy CP7	On Site	22%	22%	6	6	S.106 dated 12/02/2024
T041	H52	R22	None	Gregory Works, Armitage Road, Brereton	Brereton & Ravenhill	Rugeley	Yes	23	0	Emerging Policy SO3.2	Onsite (assumed)	25%	15%	0	0	Emerging Policy SO3.2
T042	H53	R189	None	Land off Lichfield Street, Rugeley	Western Springs	Rugeley	Yes	20	0	Emerging Policy SO3.2	Onsite (assumed)	25%	15%	0	0	Emerging Policy SO3.2
T043	H64	R144b	None	The Fairway Motel, Horse Fair, Rugeley, WS15 2EJ	Western Springs	Rugeley	Yes	17	17	Emerging Policy SO3.2	Onsite (assumed)	25%	15%	4	3	Emerging Policy SO3.2

T044	H67	R227	CH/22/0098	Land at Pendlebury Garage and Petrol Station, 5 Wolseley Road, Rugeley	Western Springs	Rugeley	Yes	18	0	Adopted Policy CP7	Off Site	0%	0%	0	0	S.106 dated 03/07/2023
T045	H68	N13b	CH/22/0318	Land off Norton Hall Lane, Norton Canes	Norton Canes	Norton Canes / Heath Hayes	Yes	55	0	Adopted Policy CP7	On Site	15%	15%	0	0	S.106 dated 13/12/2023
T046	H69	N67b	CH/22/0233	272 Hednesford Road, Norton Canes	Norton Canes	Norton Canes / Heath Hayes	Yes	11	0	Adopted Policy CP7	Off Site	0%	0%	0	0	Officer Report dated 18/03/2024
T047	SH1	C116a	None	Land south of A5190, Lichfield Road, Heath Hayes (Phase 1)	Norton Canes	Norton Canes / Heath Hayes	No	700	200	Emerging Policy SO3.2	Onsite (assumed)	35%	20%	70	40	Emerging Policy SO3.2
T048	SH2	C279a (C84)	None	Land to the East of Wimblebury Road, Heath Hayes	Heath Hayes & Wimblebury	Unclear - could be Hednesford or Norton Canes / Heath Hayes	No	435	125	Emerging Policy SO3.2	Onsite (assumed)	35%	20%	44	25	Assumed Norton Zone
T049	SH3	C121	None	Land to the rear of Longford House, Watling Street, Cannock	Cannock Longford & Bridgtown	Cannock	No	45	0	Emerging Policy SO3.2	Onsite (assumed)	20%	15%	0	0	Emerging Policy SO3.2
T050	SH6	R221	None	Former Hart School, Burnthill Road, Rugeley (Hagley Park)	Western Springs	Rugeley	Partially	145	0	Emerging Policy SO3.2	Onsite (assumed)	35%	20%	0	0	Assumed Greenfield
T051	SM1	R127	CH/19/201	Rugeley Power Station, Rugeley	Western Springs	Rugeley	Partially	1000	0	Adopted Policy CP7	On Site	17%	17%	0	0	Draft Heads of Terms dated 28/11/2019
T052	Minors	Various		Small Sites Under Construction				89	29	n/a	None - Below threshold	0%	0%	0	0	Emerging Policy SO3.2
T053	Minors	Various		Small Sites With P/P (77) and O/P (13) 18% non-implementation				90	74	n/a	None - Below threshold	0%	0%	0	0	Emerging Policy SO3.2
T054	Minors	None		Small Site Windfall Allowance 27 dpa from year 6					54	n/a	None - Below threshold	0%	0%	0	0	Emerging Policy SO3.2
Totals									752					168	116	
Per Annum									150					34	23	

**Turley Bristol Office**

40 Queen Square

Bristol

BS1 4QP

T 0117 989 7000

**IN THE MATTER OF**

**CANNOCK CHASE LOCAL PLAN  
EXAMINATION**

---

**OPINION**

---

**No5**  
**CHAMBERS**

**BIRMINGHAM • LONDON • BRISTOL**

## **Introduction**

1. In this matter I am instructed by Turley on behalf of Bloor Homes (hereinafter “the Client”) in respect of the Examination-in-Public (hereinafter the “EIP”) into the emerging Cannock Chase Local Plan (hereinafter “eLP”).
2. The local planning authority is Cannock Chase District Council (hereinafter “the Council”).
3. I have been instructed by the Client to advise on its site at Norton Canes and to appear on its behalf at the EIP. I appeared at the EIP on 13 and 15 May 2025.
4. The Client’s site is not included as an allocation in the eLP. It is a large greenfield site in the Green Belt. It will yield around 420 dwellings.
5. The eLP proceeds on the basis of the 2023 version of the NPPF. Moreover, the Council is permitted to progress the plan under the old Standard Method housing requirement (i.e. the pre-December 2024 figures). This gives rise to a very low annual housing requirement of 264 dwellings a year (hereinafter “dpa”). It should be noted that the 264dpa does not include any contribution to the unmet need arising from the Greater Birmingham and Black Country Housing Market Area (hereinafter “GBBCHMA”).
6. By way of contrast the current Standard Method figure for Cannock is 527 dpa, double the level which the eLP is proposing to deliver.
7. The Council submitted the eLP for examination by the Secretary of State on the basis that it accepted it could not demonstrate a 5 year supply of housing land (hereinafter “5YS”), even under the very low proposed housing requirement.
8. This inability to demonstrate a 5YS is highly significant. The absence of a 5 year supply upon adoption would allow other application sites, including the Client’s site to come forward even if the eLP is adopted.
9. This is precisely what has happened in respect of the South Worcestershire Development Plan Review (hereinafter SWDPR”). The examining Inspectors have very recently issued their report and concluded the combined authorities cannot demonstrate a 5YS and will not be able to do so upon adoption of the

SWDPR. As such, the SWDPR can be found sound, but allowing the opportunity for unallocated sites to come forward in the short to medium term.

10. Those instructing have however made me aware of recent developments in respect of the EIP. It the following has happened:

- (i) **The Council has issued a new housing trajectory.** The new trajectory was only put into the Council's Action Point note 78 on 21<sup>st</sup> July (EXAM 34 and EXAM 34A) and the breakdown of the trajectory was only published even later on 29<sup>th</sup> July (EXAM 38B)
- (ii) **The Council's evidence now shows it has a 5YS.** The figures indicate this is the case due to both changes on the requirement side (i.e. the stepped approach to meet unmet needs later) and the changes to the supply.
- (iii) **The Council has introduced new housing figures into its supply.** This it has done by increasing the number of units in the 5YS at three sites (M1, SH1 and SH2) plus a correction to the figures at site H1.
- (iv) **Some of the sites the Council previously concluded in the SHLAA would not be delivered in the next 15 years are now included in the next 5 years.** This only became apparent in the breakdown in the trajectory received on 29<sup>th</sup> July (EXAM 38B).
- (v) **The Council has decided to alter the overall % of affordable housing in the eLP, down from 30% to 20%, claiming it is justified on the basis of the Viability Statement.**
  - a. EXAM22 "Action Points Week 1 – Updated 26<sup>th</sup> June 2025" includes amendments to Policy SO3.2 but these do not include any reference to the Viability Statement and amendments to Table D.
  - b. EXAM26 "Action Points Week 2 – Updated 26<sup>th</sup> June 2025" also makes no reference to Policy SO3.2 or Viability Assessment.
  - c. EXAM31 "Action Points Week 3 – Updated 21<sup>st</sup> July 2025". Action Point 86 states "*Draft proposed modification to Policy SO3.2 Table D to align Affordable Housing Percentages with EC10 (Viability Study 2024) Table 8.1 for consideration and potential main modification to the policy.*" This is the first point when this was mentioned
  - d. At the Matter 9 and 10 Hearing sessions (8/9 July) the Council advised that it was relying upon their 2022 Viability Assessment (rather than the 2024 Assessment), which in effect would mean that there would be no change to the AH requirement, even though the 2024 Assessment advised a much lower requirement.
  - e. The Inspector included Viability on the agenda for the Matter 11 Hearing Session (10 July) to discuss the Viability Assessment in

more detail, as his position was that the 2024 Viability Assessment had been submitted with the plan, was part of the examination and deviating from this should be discussed further.

- f. Those instructing attended the Matter 11 Hearing Session, where the Council advised that they were **not** going to rely on the 2022 Assessment and therefore policies would be updated to reflect the 2024 Assessment. I am told this was a surprise to everyone in the room, there was no detail into the exact implications of updating policies to reflect the 2024 assessment. When asked for additional comments, those instructing were the only ones to raise the issue that more sites would be needed to bridge the gap in affordable housing. The Inspector asked no further questions; the matter was over within 10 to 15 minutes.
- g. The Hearing Sessions were not live streamed and on the 10 July there were very few residents in the gallery. Nearly all attendees were consultants or housebuilders/promoters from the proposed allocations.
- h. The only opportunity for someone not attending the Hearing Session to hear about this amendment is when EXAM31 was published on 21 July 2025. However, this only provides the detail set out at point (c) above, meaning that unless someone does the exercise carried out on behalf of Bloor, they will not know about the full implications of amending this policy.

(vi) **This results in a reduction in the delivery of affordable housing to levels far the Council's own proposed identified need.**

- a. The identified need in the 2024 HNA is for 6,764 net affordable homes from 2021/22 to 2039/40 (356 dpa).
- b. The original policy wording sought to meet only 867 gross affordable dwellings over the whole eLP period (equivalent to 54 dpa)
- c. Under the new policy wording that reduces to just 604 gross over the whole eLP period affordable dwellings (equivalent to just 38 dpa).
- d. These figures must be seen in the context of ongoing losses through Right to Buy, which have averaged 29 per annum since the start of the plan period.
- e. That means the planned level of affordable housing in the eLP is close to zero. At most it will be less than 10 dpa.

## **OPINION**

- 11. The changes which have been made to the plan are profound. The changes mean the Council will now claim to be able to demonstrate a 5YS of housing land. This fundamentally alters the nature of the proposed plan and in particular



the consequences for future delivery. It means in particular it will deter new planning applications to come forward. The exact opposite of the position in South Worcestershire.

12. More significantly still, it is unquestionably procedurally unfair to allow the Council to change its position in this way without there being proper public consultation. Allowing comments to be made only at very short notice is no answer to that unlawfulness.
13. Added to which, this position is all the more perverse because the Council plainly do not have anything like 5YS as is clear from the evidence of Ben Pycroft from Emery Planning. Some of the sites included and the quantum of delivery are not only not credible, they are also directly contrary to the Council's earlier evidence. There needs to be consultation on this as well.
14. The position with the affordable housing is even worse. The Council have unilaterally changed their position with regards to the policy requirement for affordable housing. There are few developer objectors to the eLP. And those developers and consultants representing those with sites in the eLP are very unlikely to object to a reduction in the level of affordable housing. Yet the consequences are really dire. Affordable housing delivery in Cannock Chase is now being planned, deliberately, to collapse to close to zero.
15. Procedurally, the proposed changes to the affordable housing policy are unlawful. This is because it is completely unfair to change the policy in this way without public consultation.
16. Added to which, given the planned and intentional collapse of affordable housing to close to zero, there should be an open discussion about whether the plan and its housing number is remotely appropriate. An outcome of less than 10 affordable dwellings a year is simply perverse. It is the exact opposition of what the Government is looking for. In this situation, further housing sites ought to have been considered. Under the new wording for the affordable housing policy, there is very obviously a need to reconsider the numbers of sites being released.
17. Grey Belt sites will deliver 15% above the policy requirement, which amounts to 35%. On Bloor's site alone this would amount to 147 affordable dwellings. This

alone would provide 86% of the affordable housing net delivery over the whole plan period, once Right To Buy losses are factored in, as they undoubtedly should be.

18. The old Standard Method figure of 264 dpa is only a starting point. It is necessary to consider whether it should be increased. The delivery of affordable housing is one of the key issues which needs to be considered in that context. At the very least the new policy on affordable housing triggers needs reconsideration of this issue. Not least because it is a change to a position whereby the net delivery of new affordable housing provision in Cannock Chase will collapse.
19. Consultation on Main Modifications is no answer to these problems. Main Modification consultation comes too late to effect any real change in a plan. This is borne out by the evidence which shows that it is rare, if ever, that consultation on main Modifications results in any changes to a plan. It is largely a perfunctory step.
20. Added to which absolutely no weight can be placed on the proposal of a new replacement local plan coming forward. The history of plan making in this country demonstrates the exact opposition. That once a plan is adopted, it is often 10, 15 or 20 years later before another plan is adopted. There is no legal mechanism to require an early review of a plan once it is adopted.

## **Conclusion**

21. There is absolutely no way in which the public are aware of the Council's proposed changes or the consequences arising from them. These changes are profound and dramatic.
22. The approach being taken to the 5YS issue is plainly procedurally unfair. The Council has gone from submitting a plan where the public were told there is no 5YS to now changing that at the last minute to suggest there is a 5YS. That makes it a very different plan in terms of future planning applications.
23. There has also been no proper consultation on the newly proposed figures for the 5YS, with lots of additions which are simply not credible and moreover, contradict earlier evidence from the Council.

24. The change in policy on affordable housing has not been consulted upon. It is manifestly unreasonable to change the policy in this way without proper public consultation.
25. Added to which the consequences of this change in the affordable housing policy will have dire consequences. It will see the net delivery of affordable housing collapse. This will be worse for local people in need of affordable housing.
26. The addition of one new Grey Belt site for 420 homes alone would double the amount of net affordable housing over the entire plan period.
27. It is important that the Client raises these concerns about the lawfulness of the eLP with the Examining Inspector and the Council now, as the Client will need to show it has done so, in order to satisfy the High Court that it made every effort to point out the unlawfulness at the relevant time.
28. There needs to be proper and full public consultation on these changes and the inquiry needs to be re-opened to allow proper discussion on these issues and to consider the effectiveness of the overall plan strategy. To do otherwise would be unlawful.
29. I trust I have dealt with all the matters of concern to my instructing consultation, but needless to say if there are any other matters then please do not hesitate to contact me, upon the telephone if necessary.

**5 August 2025**

**CHRISTOPHER YOUNG KC**  
**No5 Chambers**  
**London – Birmingham – Bristol**



**IN THE MATTER OF**

**CANNOCK CHASE LOCAL  
PLAN EXAMINATION**

---

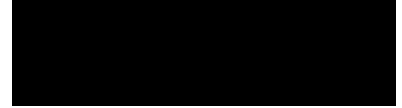
**OPINION**

---

**Christopher Young KC**



Suite 2, Unit 10, Bradburys Court,  
Lyon Road, Harrow, HA1 2BY  
**FROM BEN HUNTER**



**Direct Line: 07497 338456**



**Emma Foster**  
**Bloor Homes Midlands**  
**BY EMAIL ONLY**

**22<sup>nd</sup> July 2025**

**REF: LAND NORTH OF NORTON CANES, CANNOCK CHASE, STAFFORDSHIRE**

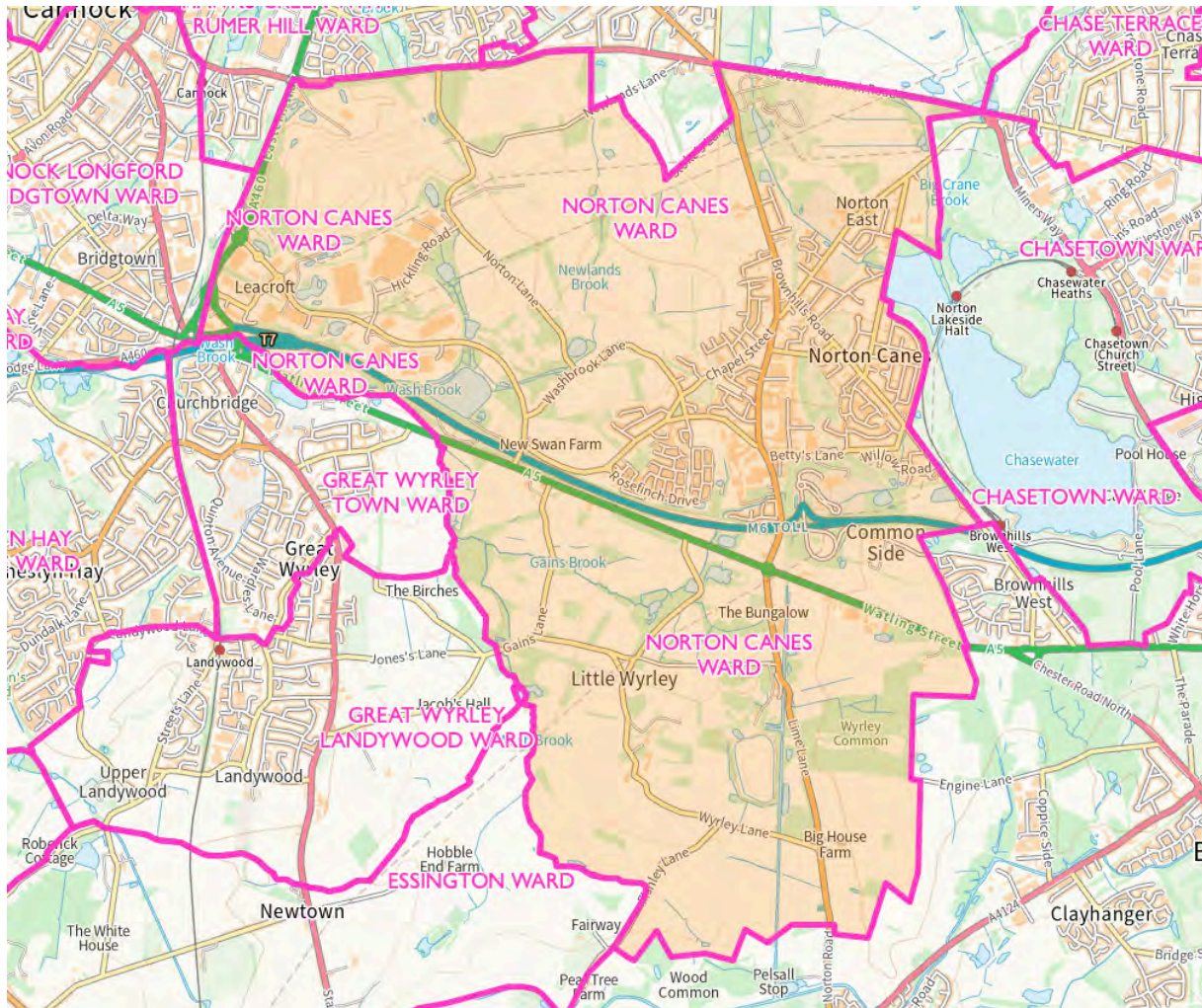
The following Report is a review of the education landscape in relation to a development of circa 420 dwellings shown below in Map 1.



*Map 1: Approximate Development Outline*



The development is located within the Cannock Chase District Council (“CCDC”) Planning Area. Staffordshire County Council (“SCC”) is the Education Authority for the area. The development is located in the Norton Canes Ward (“the Ward”) as shown in the Map below:



Map 2: Ward Boundary

CCDC is a Community Infrastructure Levy (“CIL”) charging Authority. The latest Infrastructure Funding Statement (2023/24) details what CIL will fund. From an Education perspective, this can be seen below:

Heath Hayes and Wimblebury Parish	Heath Hayes and Wimblebury	Increase primary school provision by up to 210 additional places in the Heath Hayes and Wimblebury Parish.	Planning of School Places and Staffordshire Education Infrastructure Contributions Policy - 88, 89	
Rugeley and Brereton	Rugeley/Brereton	Provide additional primary school places in Rugeley including land acquisition and associated costs (in addition to the proposed primary education infrastructure to be located within the Rugeley Power Station site)	88,89	
•Hednesford (Town) •Rugeley (Town)	•Hednesford •Rugeley	Replacement of temporary or refurbishment of accommodation with more suitable and permanent accommodation	88, 89	
<b>TOTAL COST OF EDUCATION ITEMS</b>				<b>£1,367,281</b>

Table 1: CCDC CIL List – Education

On the basis of the above, this Report will commence on the basis that any development mitigation that is required is secured via Section 106 Planning Obligations.

For an Education planning obligations to be acceptable they must be necessary. In respect of an education planning obligation, to be necessary, there must be an insufficient number of places to accommodate the forecast number of children seeking a school place forecast to arise from the proposed development to which the obligation is linked. Thus, the obligation must be linked to a change (upwards) in the official number of school places.

This document will undertake the following tasks: firstly, it will look at the child yield multipliers utilised by SCC in order to ensure that they are appropriate for the area; second, it will look at the planning obligation cost multipliers to ensure they are in line with the national averages and Department for Education's ("DfE") Guidance, Securing Education Planning Obligations (August 2023) which is endorsed by MHCLG PPG Paragraphs: 007 Ref ID: 23b-007-20190315 and 008 Ref ID: 23b-008-20190315; finally, it will look at the Education landscape, in order to establish whether planning obligations are appropriate and required under the CIL Regulations, specifically the tests of CIL Regulation 122 (2).

Generating primary and secondary school aged children may require the addition of new primary and secondary school places respectively. The necessity requirement dictates that there must be the equivalent increase of the Capacity and Admission Number of a school that would serve the development. The Capacity of a school is published differently depending upon its type. The Admission Number is the number of places for each age group. For a maintained school (maintained by the local education and children's services authority) it is the Net Capacity and for an Academy/Free School it is set out in the Funding Agreement with the Education Secretary of State. This obligation on the Council should be stipulated in the

Section 106. “Improving” educational facilities is not appropriate use of planning obligations. Pre-existing deficits, upgrades and maintenance issues are funded from different sources.

To first discuss the child yield multipliers utilised by SCC:

## Child Yield

The Department for Education (“DfE”) has produced Planning Policy Guidance for education entitled “Securing developer contributions for education”. A key point in the Guidance is that pupil yield factors should be based on up-to-date evidence from recent local housing developments.

Paragraphs 17 and 18 of the DfE’s best practice guidance states the following:

*Pupil yield factors should be based on up-to-date evidence from previous local housing developments, so you can predict the education needs for each phase and type of education provision arising from new development. To understand how pupil yield builds up in developments over time, you can consider pupil yield from developments completed 10 or more years ago as well as those built more recently. You are under no obligation to review pupil yields continually, but we recommend refreshing your data approximately every five years.*

*Pupil yield factors allow you to estimate the number of early years, school and post-16 places required as a direct result of development, underpinning local plan policies and the contributions agreed in planning obligations. We have published separate research data and guidance on estimating pupil yield, to assist local authorities producing and using pupil yield evidence.*

The August 2023 Best Practice Guidance includes a large study of pupil yields in all District/Borough/City and County Council’s in England. When looking specifically at LDC, they are seeing child yields of the following:

Year	LocalAuthority	EducationPhase	EducationType	TenureType	Housing...	Numb...	Num...	Numb...	PupilYield
2021/22	Cannock Chase	Early Years	Mainstream	All	All	All	350	3724	0.093984962
2021/22	Cannock Chase	Post-16	Mainstream	All	All	All	57	3724	0.015306122
2021/22	Cannock Chase	Primary	Mainstream	All	All	All	1276	3724	0.34264232
2021/22	Cannock Chase	Secondary	Mainstream	All	All	All	572	3724	0.153598281

Table 2: Cannock Chase Child Yields (via the DfE)



The county as a whole is seeing the following average yields:

Year	LocalAuthority	EducationPhase	EducationType	TenureType	Housing...	Numb...	Num...	Numb...	PupilYield
2021/22	Staffordshire	Early Years	Mainstream	All	All	All	1898	23034	0.082399931
2021/22	Staffordshire	Post-16	Mainstream	All	All	All	425	23034	0.018450985
2021/22	Staffordshire	Primary	Mainstream	All	All	All	7062	23034	0.306590258
2021/22	Staffordshire	Secondary	Mainstream	All	All	All	3466	23034	0.150473214

Table 3: SCC Child Yields (via the DFE)

Staffordshire County Council adopted their Education Infrastructure Contributions Policy in October 2024. This Policy includes their most recent child yield multipliers, which are reproduced in the Table below:

Area	PPR per dwelling per Year Group		PPR per dwelling
	Primary	Secondary	Sixth Form
Cannock Chase – Other Areas	0.03	0.03	0.03
	$0.03 \times 7 = 0.21$	$0.03 \times 5 = 0.15$	0.03

Table 4: SCC Child Yield

On the basis of the above, SCC expect a development of 420 dwellings to accommodate the following number of pupils:

- $420 \times 0.1 = 42$  early years aged children;
- $420 \times 0.21 = 88$  primary school aged children (0.3FE);
- $420 \times 0.15 = 63$  secondary school aged children (0.3FE);
- $420 \times 0.03 = 13$  sixth form aged children;
- $4.2 \times 0.49 = 2$  primary SEN children; and
- $4.2 \times 0.98 = 4$  secondary SEN children.

These figures will be utilised throughout the remainder of the assessment.

## Planning Obligations

Paragraphs 32 and 33 of the Department for Education’s (“DfE’s) best practice guidance document (August 2023) states:

*We advise that you base the assumed cost of mainstream school places on the relevant average regional costs published in the DfE school places scorecard. This allows you to differentiate between the average per pupil costs of a new school, permanent expansion or temporary expansion, ensuring developer contributions are fairly and reasonably related in scale and kind to the development. You should adjust the regional average to account for inflation since the latest scorecard base date.*

*In addition, consider uplifting rates to reflect the costs associated with achieving the sort of sustainability and design standards set out in the department’s updated School Output Specification 202112 (or a future update which is relevant to the timing of a project). The department has uplifted Basic Need grant funding by around 10% to support local authorities meet the costs associated with achieving these sorts of standards. This percentage may be a useful basis for an uplift to developer contributions, though current local planning context such as additional climate change, environmental or design policy requirements may justify an alternative uplift.*

The DfE’s 2023 National Scorecard Costs can be seen in the Table below:

Type	England	Type	England
New School	£24,416	New School	£29,579
Permanent Expansion	£20,450	Permanent Expansion	£28,127
Temporary Expansion	£9,668	Temporary Expansion	£10,854

Table 5: Scorecard Costs (via the DfE)

SCC’s costs can be seen in the Table below:

Type of school	Size of school	Total Cost
First School	1FE	£7,103,000
First School	1.5 FE	£8,463,000
First School	2FE	£10,260,000
Primary School	1FE	£8,723,000
Primary School	1.5FE	£11,624,000
Primary School	2FE	£13,164,000

Table 6: SCC School Costs

SCC's expansion costs for existing Primary School infrastructure are much lower, and in line with national averages:

Phase of Education	Mainstream cost multiplier per pupil including weighting
Early Years/Nursery, First and Primary (including Infant and Junior schools)	£19,189
Middle	£22,791
Secondary and High	£26,392
Sixth Form	£26,392

Table 7: SCC Expansion Costs

On the basis of the above, if Education mitigation can be dealt with via expansions rather than new school provision, the amount requested in planning obligations will be significantly lower.

## Education

In our assessment, we consider all primary schools that lie within a two-mile walking distance, and all secondary schools that lie within a three-mile walking distance of the development<sup>1</sup>. The two- and three-mile criteria is the distance prescribed in the Education Act beyond which

<sup>1</sup> Distances have been calculated based upon coordinates near to the development. Once the development is built, some parts of the site may be further/closer than shown.

local authorities are required to provide/fund transport where the nearest available school is further away.



Map 3: Two- and Three-Mile Radius around the Development Site

The EA is required to make pupil forecasts to the Department for Education on a year of age basis by 'school planning area' and identify each school in the cluster and its capacity. The forecasts cover the period for which birth data is available. Forecasts covered by Section 106 agreements submitted separately to avoid double funding. For Primary School age pupils, the current published data runs to 2028/29 and for Secondary School aged pupils 2030/31. These are known as the School Capacity ("SCAP") returns. This is how Government allocates its funding for additional school places that are its responsibility to provide.

Schools should be operationally full to meet the financial audit requirement for best value from public assets. This is demonstrative of a properly functioning school system. School funding is predicated on the number of pupils that are on a school's roll, so it is in the best

interest of schools to maximise intake within their capacity. Accordingly, many schools take from a wide catchment area and some enrol over capacity.

The statutory rules on enrolment are that whilst schools may have a catchment area and ordered criteria for admissions, the rules only apply if the school is oversubscribed. Otherwise, whoever applies is admitted irrespective of where they live. This is known as 'More Open Enrolment'. It fosters parental choice of school.

The overarching duty to provide sufficient schools and school places rests with central Government. (Education Act 1996 Section 11) The duty excludes those otherwise provided for (private education, home schooling, those in new housing with a Section 106/CIL in place (my emphasis)).

The EA's duty in such matters is to secure sufficient schools and school places for their area (Education Act 1996 Section 14). 'For their area':

*The duties of a [local] education authority do not require the authority to secure the provision of schools for pupils from outside the area of the authority, even though it may be convenient for a pupil to attend a school in an area other than that in which he lives.*

Within the State-funded school sector there are Community Schools funded by the local authority and there are other providers than the local authority; these are Academies, Free Schools, the Voluntary Sector (e.g. Church Schools) and Foundation Schools. Academies and Free Schools are funded directly by Central Government. Church Schools and Foundation Schools are maintained by the local authority.

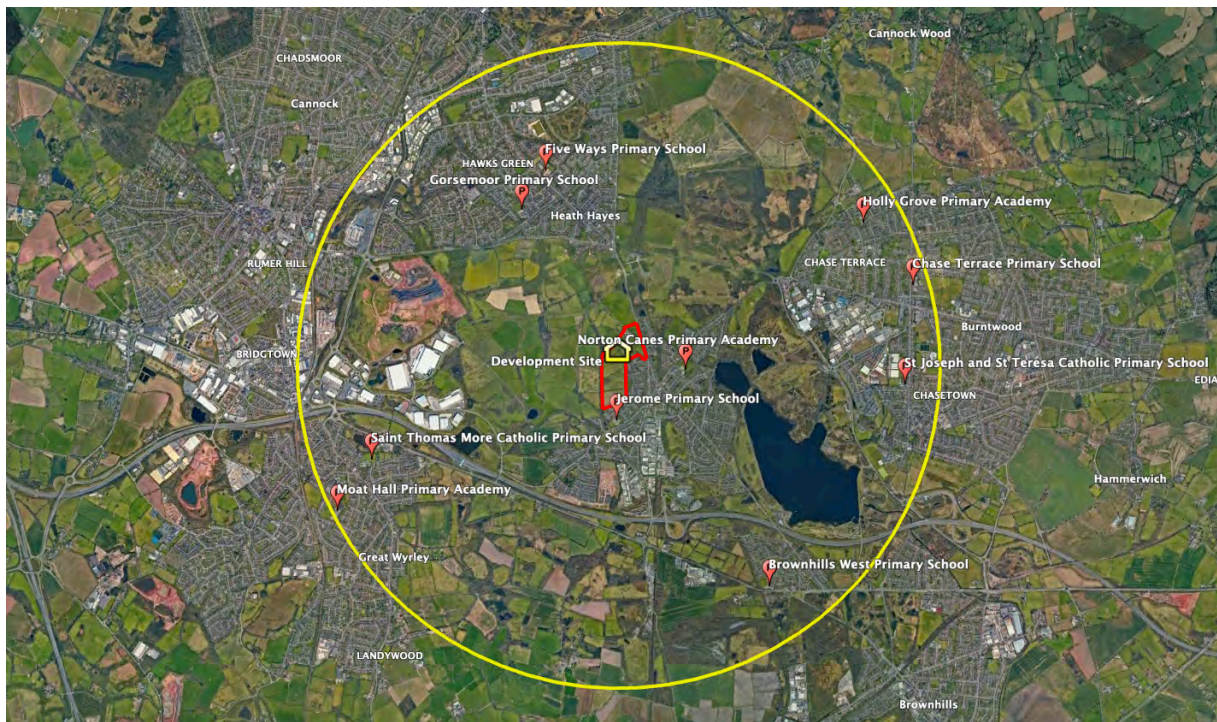
The provision of school places, where there is a shortfall, is made via a funding stream from the Department for Education ("DfE") is known as Basic Need. Basic Need funding is allocated as 'a number of pupil places times a unit cost', differentiated by school phase and local building costs. Allocations are made on the basis of projected shortfalls in local School Planning Areas against current pupil numbers and the actual numbers of school places in that Planning Area. Each planning area is treated as a discrete area and shortfalls met through the allocation of resources. A surplus in one school planning area is not offset against another with a shortfall. In this case, providing housing in the Norton Canes Primary Planning Area (for whatever planning reason) will be reflected in the forecasts for the Norton Canes Primary Planning Area, and nowhere else.



## Primary Education

There are ten state funded schools accommodating primary school aged children within a two-mile radius of the proposed new dwellings. Of these schools, two are within a two-mile walking route of the development site, and can therefore be considered capacity for the pupils on the development. All of the schools are within the SCC administrative area, and are organised across multiple Primary Planning Areas.

The location of the schools in relation to the development site can be seen in the Map below:



Map 4: Schools in relation to the development site

The latest school roll data in the public domain can be seen in the Table below:

Primary School Name	Postcode	LA Name	Distance (miles)	Capacity	PAN	NoR	Yr R	Yr 1	Yr 2	Yr 3	Yr 4	Yr 5	Yr 6
Norton Canes Primary Academy	WS11 9SQ	Staffordshire	0.5	210	30	211	30	30	30	30	31	30	30
Jerome Primary School	WS11 9TP	Staffordshire	0.7	210	30	217	31	30	30	31	31	32	32
<b>TOTAL</b>				<b>420</b>	<b>60</b>	<b>428</b>	<b>61</b>	<b>60</b>	<b>60</b>	<b>61</b>	<b>62</b>	<b>62</b>	<b>62</b>
Surplus							-1	0	0	-1	-2	-2	-2
Available Surplus %							-2%	0%	0%	-2%	-3%	-3%	-3%

Table 8: School Roll Data (January 2025)

PAN = Planned Admission Number; NoR = Number on Roll



The closest school to the proposed new dwellings is Norton Canes Primary Academy. This is a 1FE primary school approximately 0.5 miles to the east of the development. The school currently (January 2025) is operating at capacity.

Norton Canes Primary Academy is expanding in the next two academic years by 60 places (bulge classes). The planned admission number will remain at 30 but the school will accept 30 pupils in the next two years<sup>2</sup>.

Norton Canes Primary Academy is located on a large site of approximately 2.7ha, meaning that it could triple in size without the need for any land acquisition. It is on that basis that the bulge classes are able to be utilised to deal with the need in the next couple of academic years:

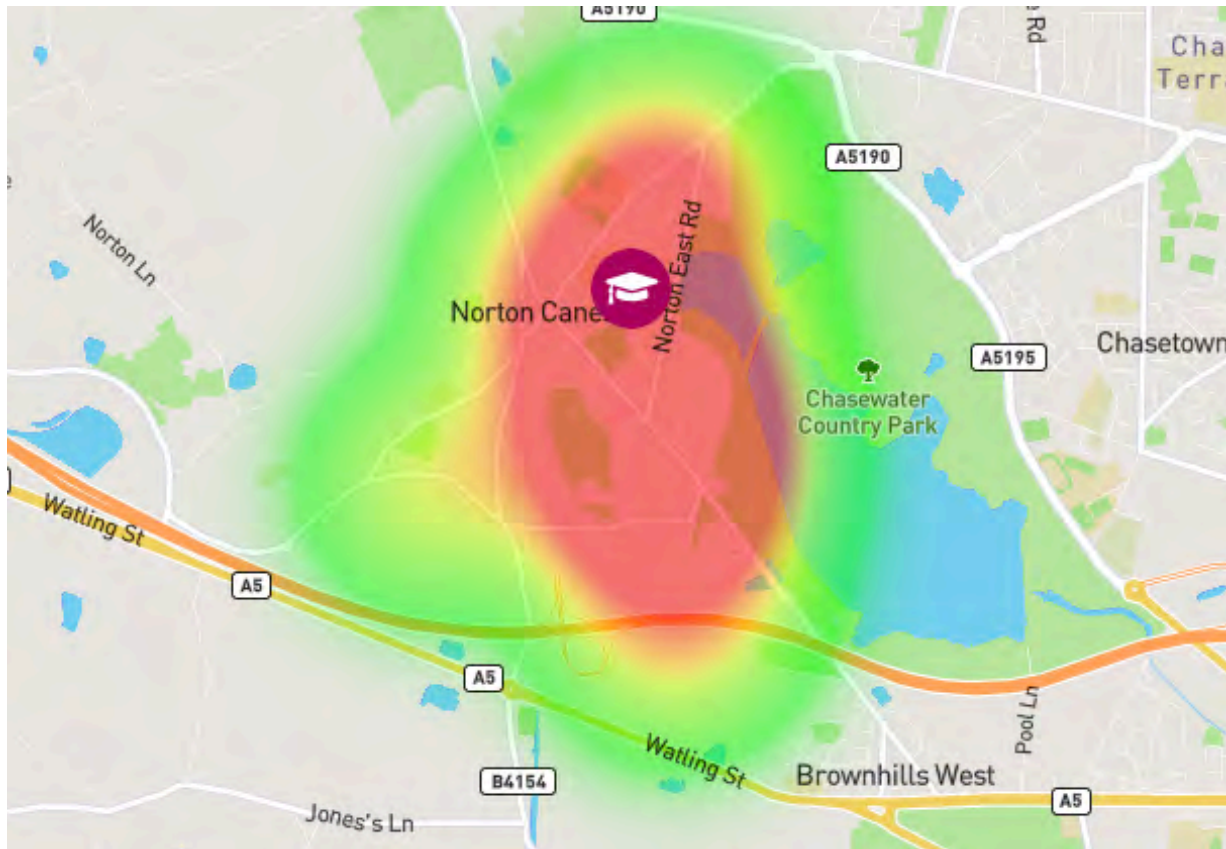


Map 5: Norton Canes Primary Academy Site (via Google Earth)

The school accommodates pupils from across Norton Canes, as seen below:

---

<sup>2</sup> <https://staffordshire.moderngov.co.uk/ieDecisionDetails.aspx?Id=3974>

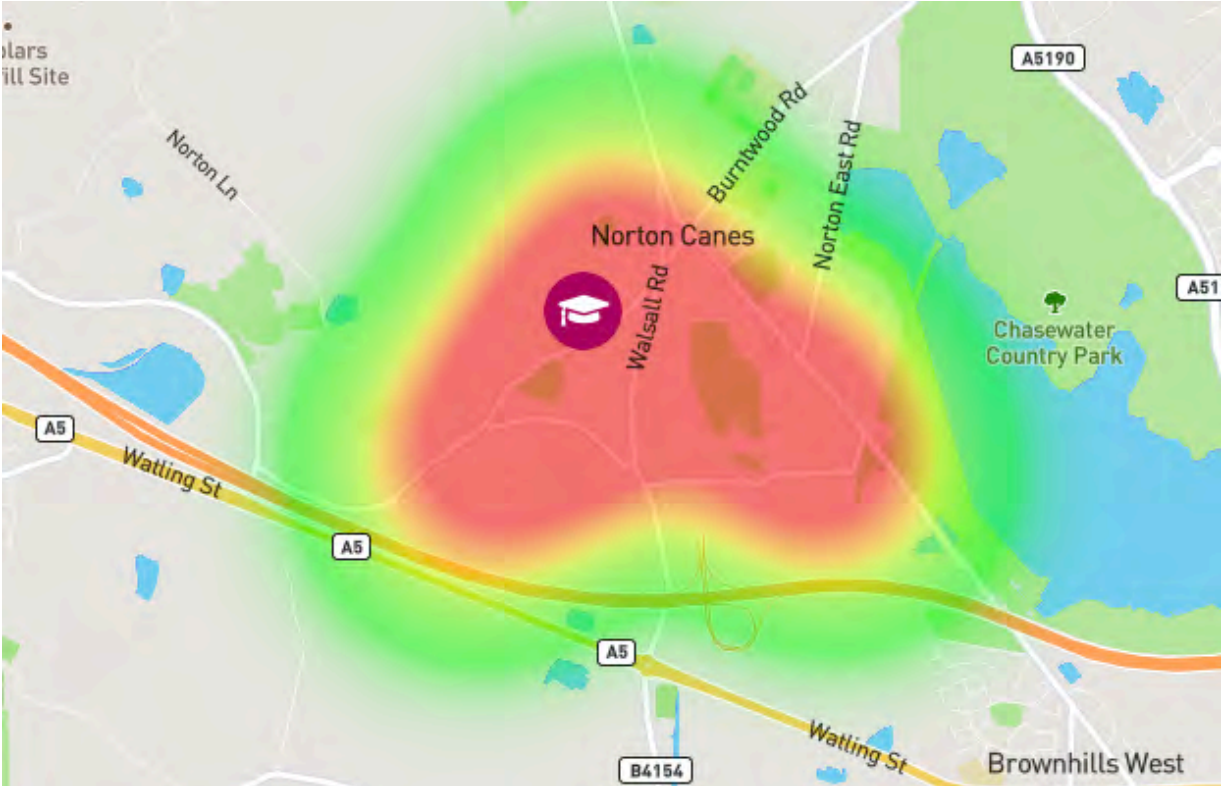


Map 6: Norton Canes Primary Academy Catchment Area Heat Map

The second closest school to the proposed new dwellings is Jerome Primary School. This is a 1FE primary school immediately south of the boundary of the development site. The school, as of the current academic year, was operating at capacity.

Jerome Primary School is located on a site of around 1.3ha which suggests that expansion potential is likely to be limited. The school accommodates pupils from across Norton Canes, as shown in the map below.





Map 7: Jerome Primary School Catchment Area Heat Map

To summarise: the two schools in Norton Canes are full, and one of them (Norton Canes Primary Academy) is being expanded to allow for bulge classes in the next two academic years. However, the school is well placed to grow on site should that be required, which would be beneficial to the school.

The two closest schools to the development site form the Norton Canes Primary Planning Area. The schools have a combined capacity of 420 pupil places:

Primary Planning A...	Time Period	School Name	Primary Capacity	Secondary Capa...
8601002	202324	Norton Canes Primary Academy	210	0
8601002	202324	Jerome Primary School	210	0

Table 9: Norton Canes Primary Planning Area Schools

SCC is forecasting that by the 2028/29 academic year, the planning area will have a total roll of 547 pupils, which is 127 pupils over capacity:

LA name	Year	Planning Area Code	Planning Area Name	Planning Area Phase	nc Year Group	Pupil Forecast...
Staffordshire	202425	8601002	Norton Canes Primary	Primary	Primary total	428
Staffordshire	202526	8601002	Norton Canes Primary	Primary	Primary total	455
Staffordshire	202627	8601002	Norton Canes Primary	Primary	Primary total	482
Staffordshire	202728	8601002	Norton Canes Primary	Primary	Primary total	514
Staffordshire	202829	8601002	Norton Canes Primary	Primary	Primary total	547

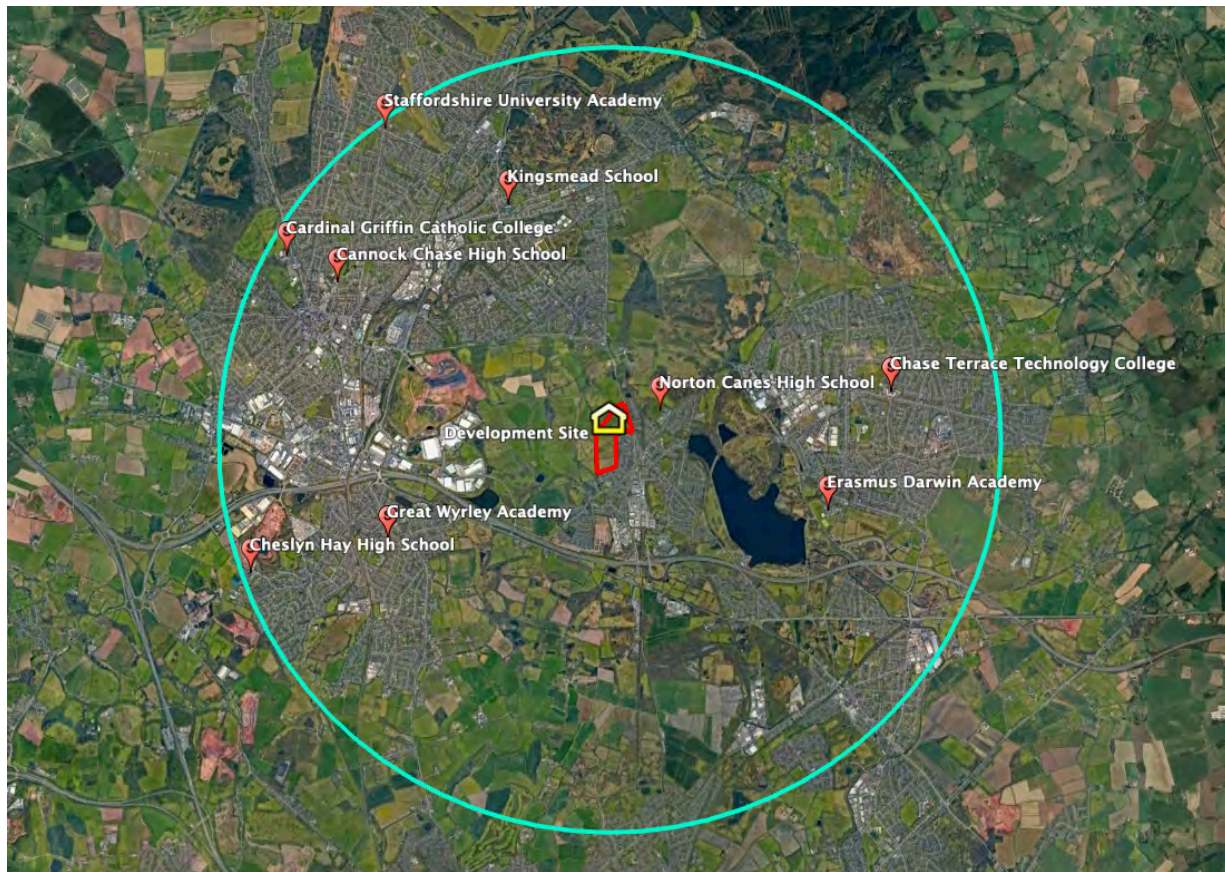
Table 10: SCC SCAP Forecasts

This development is expected to accommodate 88 primary school aged pupils when fully built out. Therefore, if you expand Norton Canes by 210 pupil places, this will be able to accommodate the entirety of this development's yield, as well as the overage of pupils that are forecast to come forward in the area. It is evident that a new school would be excessive as it could be sustained, and therefore could not be justified under the tests of CIL Reg 122.

## Secondary Education

There are nine state funded schools accommodating secondary school aged children within a three-mile radius of the proposed new dwellings. Of these schools, one is within a three-mile safe walking route within Norton Canes itself. The schools are all within the SCC administrative area, and are organised across two secondary planning areas.

The schools in relation to the development site can be seen below in Map 8:



Map 8: Schools in relation to the development site

The latest school roll data in the public domain can be seen in the Table below:

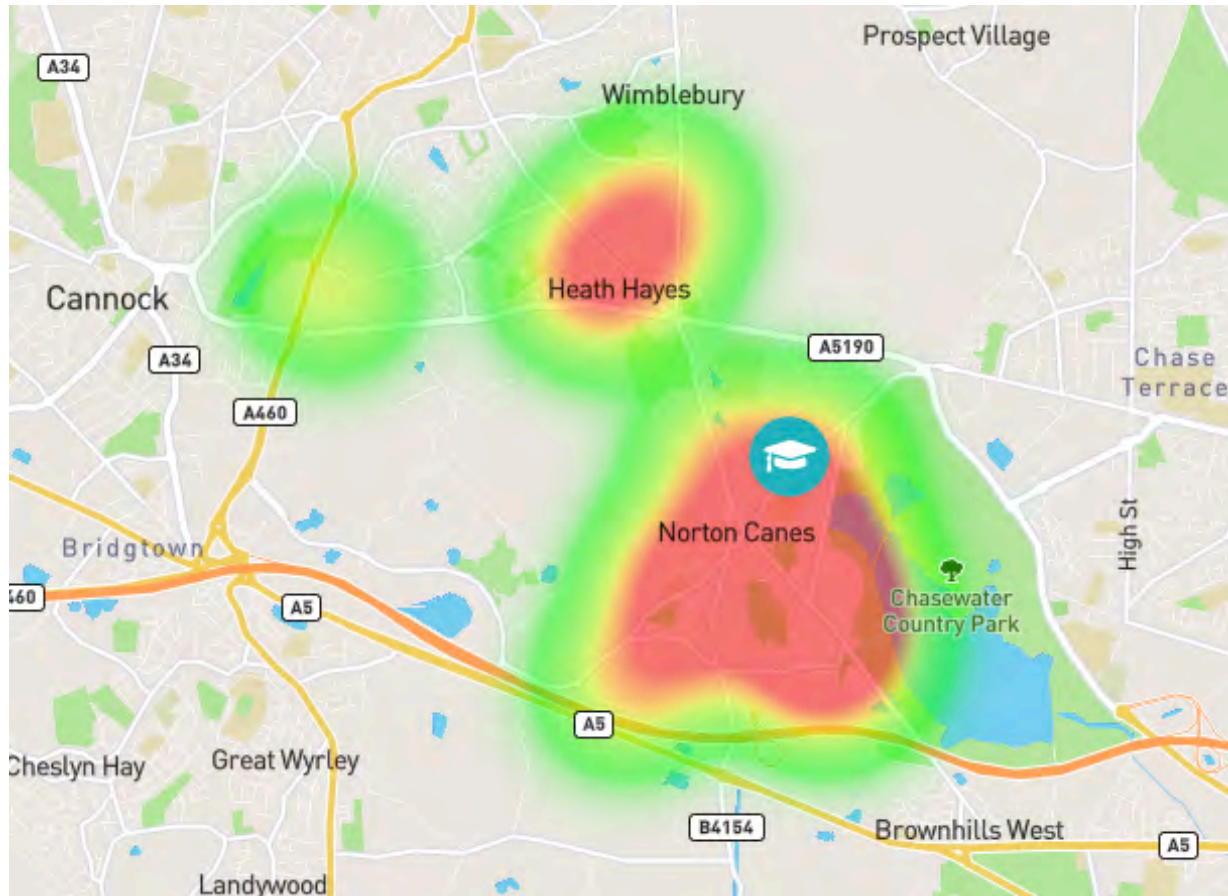
Secondary School Name	Postcode	LA Name	Distance (miles)	Capacity	PAN	NoR 7-11	Yr 7	Yr 8	Yr 9	Yr 10	Yr 11	Post 16
Norton Canes High School	WS11 9SP	Staffordshire	0.7	745	120	392	84	85	76	80	67	47
<b>TOTAL</b>				<b>745</b>	<b>120</b>	<b>392</b>	<b>84</b>	<b>85</b>	<b>76</b>	<b>80</b>	<b>67</b>	<b>47</b>
Surplus							36	35	44	40	53	
Available Surplus %							30%	29%	37%	33%	44%	

Table 11: School Roll Data (January 2025)

The closest secondary school to the proposed new dwellings is Norton Canes High School. This is a 4FE secondary school approximately 0.7 miles walking distance from the development site that currently is operating with 208 spare places (the school is operating at 65% of its available capacity). This development is only expected to accommodate 63 secondary school aged children when fully built out, or 13 places per year group, whereas the school currently has an average of 42 spare places per year group.



The school accommodates pupils from across Norton Canes, and also north to Heath Hayes, as shown in the map below:



Map 9: Norton Canes High School Academy Catchment Area Heat Map

To summarise: the school is well placed to be able to accommodate the child yield of this development without the need for expansion. There is no justification for planning obligations based on the current roll at the local school.

The five schools that form the Cannock Secondary Planning Area have a combined capacity of 4,320 pupil places in years 7-11:

Secondary Planning Area	School Name	Time Period	Primary Capacity	Secondary Capacity
8601004	Cardinal Griffin Catholic College	202122	0	896
8601004	Staffordshire University Academy	202122	0	900
8601004	Norton Canes High School	202122	0	689
8601004	Kingsmead School	202122	0	1257
8601004	Cannock Chase High School	202122	0	1845

Table 12: Cannock Secondary North Planning Area Schools

The schools are expected to have 115 spare places by the beginning of the next decade, which exceeds the child yield of this development:

LA name	Year	Planning Area Code	Planning Area Name	Planning Area Phase	nc Year Group	Pupil Forecast and ...
Staffordshire	202425	8601004	Cannock Secondary	Secondary	Secondary total	4073
Staffordshire	202526	8601004	Cannock Secondary	Secondary	Secondary total	4232
Staffordshire	202627	8601004	Cannock Secondary	Secondary	Secondary total	4273
Staffordshire	202728	8601004	Cannock Secondary	Secondary	Secondary total	4239
Staffordshire	202829	8601004	Cannock Secondary	Secondary	Secondary total	4230
Staffordshire	202930	8601004	Cannock Secondary	Secondary	Secondary total	4169
Staffordshire	203031	8601004	Cannock Secondary	Secondary	Secondary total	4205

Table 13: SCC SCAP Forecast

On the basis of the above, there is only the justification for primary school planning obligations for expansion of local provision. There is no justification for secondary school planning obligations.

### Special Education Needs and Disabilities (SEND)

It is very difficult to ascertain whether any children with SEN would come forward from this development. If direct need cannot be identified, then a planning obligation is not required. When calculating the requirement for mainstream primary and secondary education needs of children that are likely to be located in the proposed housing development, there is a plausible link between the numbers of places that are likely to be required, and the local school(s) that will be, in the main, asked to accommodate these children. The link between the development, the requirement, and the location of the schools is direct, and proportionate. Additionally, the arrangements for funding additional mainstream school places includes the mechanism to advise the funding body (ESFA) of the numbers of pupil places covered by S106 contributions that are then discounted from the allocation, to avoid double funding.

In order for a SEN contribution to fulfil the tests of Regulation 122 it would be necessary for the developers to fund the individual places of pupils proven to be located at housing within the new development at a school within the Staffordshire administrative area. The developers, however, are unable to investigate the number of SEN pupils who may be located on this development, as to do so would be a clear invasion of privacy of such families. The contribution cannot be deemed fairly related and proportionate without this. Plus, the EHC Plan for a child with SEN names the 'school' identified by a gamut of experts within the

authority and externally (health in particular) plus the parents/guardians. No one can anticipate which institution will be named. Again, it falls at the CIL Reg 122 hurdle.

The DfE states in their latest PPG on securing education planning obligations (August 2023):

*We advise you to seek developer contributions for expansions required to sixth form and special educational needs and disabilities (SEN) provision, commensurate with the need arising from the development.*

This demonstrates that the best practice guidance supports the requesting of SEN contributions if they are needed.

This development is forecast to generate a maximum of 6 pupils with SEN. Nationwide, there is a significant shortage of SEN pupil places. While standard spare capacity is not recorded as it is within the Primary/Secondary sector, the likelihood is that planning obligations will be justifiable, and difficult to argue against.

Government statistics suggest that in 2023 4.3% of children in the UK have an EHC plan/Statement of SEN (up from 4% in 2022). 13% of the UK's school age child population has some form of SEN but no EHC plan. Nationally, there is not sufficient SEN provision to accommodate the demand, which is growing.

If additional provision is necessary, this could be added to the CIL List.

Please let me know if you need anything further or would like to discuss.

Kind regards,

A black rectangular box redacting the signature of Ben Hunter.

**Ben Hunter**

Associate Director – Education and Social Infrastructure  
EFM